SEXUAL HARASSMENT OF STUDENTS

The policy of this school district forbids discrimination against, or harassment of any student on the basis of sex. The Boone-Apache Board of Education will not tolerate sexual harassment by any of its employees or students. This policy applies to all students and employees including non-employee volunteers whose work is subject to the control of school personnel. Policy DA applies to sexual harassment of employees.

1. Sexual Harassment is defined as conduct on the basis of sex that satisfies one or more of the following:

   a. An employee of the school district conditioning the provision of an aid, benefit, or service of the school district on a student's participation in unwelcome sexual conduct. This is referred to as quid pro quo sexual harassment;

   b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a student equal access to the school district's educational program or activity; or

   c. Sexual assault, dating violence, domestic violence or stalking as defined by federal law.

   For the purpose of this policy, examples of sexual harassment include, but are not limited to:

   Verbal or physical sexual advances, including subtle pressure for sexual activity; touching, pinching, patting, or brushing against; comments regarding physical or personality characteristics of a sexual nature; and sexually-oriented "kidding" "teasing," double meanings, and jokes.

   Demeaning comments about a girl's ability to excel in a class historically considered a "boy's" subject, privately talking to a student about sexual matters, hugging or touching a student inappropriately may constitute sexual harassment.

   Writing graffiti that names a student or otherwise identifies a student is potentially slanderous and constitutes sexual harassment. Graffiti of any kind will not be tolerated on school property. The superintendent is directed to cause any graffiti or unauthorized writings to be removed immediately. Use of e-mail, the internet, or technology may constitute sexual harassment as much as use of in-person, postal mail, handwritten or other communication.

   Any of the aforementioned conduct that effectively deprives a student of equal access to educational opportunities or benefits provided by the school.

2. Specific Prohibitions

   A. Administrators and Supervisors

      1. It is sexual harassment for an administrator, supervisor, support employee, or teacher to use his or her authority to solicit sexual favors or attention from students.

      2. Administrators, supervisors, support personnel, or teachers who either engage in sexual harassment of students or tolerate such conduct by other employees shall be subject to sanctions, as described below.

SEXUAL HARASSMENT OF STUDENTS (Cont.)

3. The "off-duty" conduct of school personnel that has or will have a negative impact on the educational process of the school or constitutes an illegal or inappropriate relationship with a student may subject the employee to disciplinary action which could include termination of employment. Any romantic or sexual affiliation between school personnel and students, including students who have reached the age of majority (18), during school hours will have a negative impact on the educational process and shall constitute a violation of school policy. Such violations may result in suspension of the student and suspension or termination for the employee. Any sexual affiliation between teachers and students under the age of 20 constitutes a crime under Oklahoma law and will most likely result in the suspension of certification by the State of Oklahoma.

3. Notice of this policy and grievance procedure, including how to file or report sexual harassment and how the district will respond shall be provided to applicants for admission and employment, students, parents or legal guardians, and unions or professional organizations holding agreements with the school district.

4. Reporting Allegations of Sexual Harassment

   A. It is the express policy of the board of education to encourage student victims of sexual harassment to come forward with such claims.

      1. Students who feel that administrators, supervisors, support personnel, teachers, or other students are subjecting them to sexual harassment are encouraged to report these conditions, or have their parents report these conditions, to the appropriate administrator or teacher. If the student's immediate administrator or teacher is the alleged offending person, the report will be made to the next higher level of administration or supervision or to any responsible adult person. The employee to whom the report was made will provide notice of the report to the Title IX coordinator. The Title IX coordinator should then provide the appropriate paperwork to the student or parent/guardian so that the student (complainant) may file a formal complaint with the Title IX coordinator by mail, e-mail or as directed by the Title IX coordinator.

      2. Every attempt will be made to maintain confidentiality; however, absolute confidentiality cannot be guaranteed because of due process concerns that arise in sexual harassment investigations. No reprisals or retaliation will be allowed to occur as a result of the good faith reporting of charges of sexual harassment.

   B. Upon notice from an employee that a student or parent/guardian has reported possible sexual harassment, the Title IX coordinator will promptly contact the student (alleged victim) to discuss the availability of supportive measures, consider the student's wishes with regard to supportive measures, and explain the process that will be involved with a formal complaint.

SEXUAL HARASSMENT OF STUDENTS (Cont.)

5. Grievance Procedure.

   A. Equitable Treatment. Both the alleged victim (complainant) and the alleged respondent (respondent) will be treated equitably by the school district.

   B. Objective Evaluation of Evidence. All evidence both inculpatory and exculpatory will be evaluated objectively. Credibility determinations will not be made based upon the party's status as complainant, respondent, or witness.

   C. Conflict of Interest. Any person serving as the Title IX coordinator, investigator, decision-maker, or any person designated to facilitate the process shall not have a conflict of interest against complainants and respondents generally or against the particular complainant and respondent.

   D. Presumption. There will be a presumption that the respondent is not responsible for the alleged conduct until a determination is made at the conclusion of the grievance process.

   E. Timeliness. The grievance process will proceed in a timely manner. Any delay in the process for good cause such as law enforcement involvement, absence of a party, witness or advisor, translation, or accommodation needs will be documented, and written notice provided to both parties explaining the reason for the delay.

   F. Possible outcomes. A description or listing of possible disciplinary outcomes and remedies that may be implemented following a determination of responsibility must be provided to both parties.

   G. Standard of Review. The school district will utilize (a preponderance of the evidence standard) or (a clear and convincing evidence standard) to determine responsibility. *** The standard selected by the school district will need to be the same standard that is applied to all formal complaints including those against employees.

   H. Privileged Information. The school district will not require, allow or use evidence or questions that constitute or seek legally privileged information, unless the privilege is waived.

6. Written Notice. Upon receipt of a formal complaint, the school district will provide written notice to all known parties in sufficient time to give the respondent time to prepare a response before an initial interview. The written notice must include:

   A. Notice of the grievance process, including any informal resolution process;

   B. Notice of the allegations, including sufficient details to allow the respondent to prepare a response;

   C. A statement that the respondent is presumed not responsible for the conduct and that responsibility will be determined at the conclusion of the grievance process;

   D. Notice of the parties' right to have an advisor and to inspect and review evidence. The advisor may but is not required to be an attorney.

SEXUAL HARASSMENT OF STUDENTS (Cont.)

E. Notice of any provision in the student discipline code that prohibits knowingly making false statements or providing false information in the grievance process.

If in the course of an investigation, the school district obtains additional information about the respondent or complainant that was not included in the original written notice, notice of the additional allegations must be provided in writing to both parties.

7. Investigation of the Allegations. The school district will designate an investigator to conduct a thorough investigation of allegations. Contact information for the investigator will be provided to both the complainant and the respondent.

A. The burden of proof and of gathering evidence remains on the school district.

B. An equal opportunity will be provided to both parties to present witnesses and evidence during the investigation.

C. Neither the complainant or respondent will be prohibited from discussing the allegations or gathering and presenting evidence to the investigator.

D. Both parties will have the opportunity to have others present during interviews or related proceedings. This may include an advisor who may but is not required to be an attorney.

E. Written notice of the date, time, participants, purpose and location of any investigate interview, hearing, or other meeting shall be provided to the party who is invited or expected to attend.

F. Both parties and their advisors, if any, will be provided an opportunity to review all evidence that is directly related to the allegations in the formal complaint. This would include any evidence on which the school district does not intend to rely and any exculpatory or inculpatory evidence from any source. Such evidence must be provided prior to the completion of the final investigation report and in time to give the parties at least ten (10) days to prepare a written response, which the investigator must consider prior to completing the investigation report.

G. A written investigation report will be provided that summarizes the relevant evidence. This report will be provided to the parties and their advisors, if any, for their review and written response at least ten (10) days before a hearing or determination of responsibility.

8. Hearing. The Title IX coordinator will determine whether a live hearing is necessary on a case-by-case basis if both parties request or consent to such a hearing (the live hearing component is optional for K-12 schools). Regardless of whether a live hearing is held, or a written hearing is conducted, each party will have ten (10) days from the receipt of the investigation report to submit written, relevant questions that the party wants asked of another party or witness. Both parties will be provided with the answers and follow up questions. Federal law determines when questions regarding a complainant's prior sexual behavior or sexual predisposition are considered relevant in a hearing provided by a school district.

SEXUAL HARASSMENT OF STUDENTS (Cont.)

9. Determination of Responsibility. A decisionmaker, who is not the Title IX coordinator or the investigator, will apply (a preponderance of the evidence standard) or (a clear and convincing evidence standard) to determine responsibility, and will issue a written determination of responsibility that:

A. Identifies the allegations that potentially constitute sexual harassment;

B. Describes the school district's procedural steps taken from the receipt of the complaint to the determination;

C. Includes findings of fact to support the determination;

D. Includes conclusions regarding applicants of the discipline code to the facts;

E. Includes a statement of, and rationale for, the result as to each allegation, including a determination of responsibility, any disciplinary sanctions, and whether remedies to restore or preserve equal access to the school's educational programs or activities will be provided to the complainant; and

F. The procedures and permissible basis for appeals.

10. Appeals. Within ten (10) days of a determination of responsibility, dismissal of a complaint or any allegations therein either party may appeal for one of the following reasons:

A. A procedural error affected the outcome.

B. New evidence that was not reasonably available at the time of the determination and could affect the outcome;

C. Conflicts of interest on the part of the Title IX coordinator, investigator or decision maker that affected the outcome.

If an appeal is made, the school district will provide written notice to both parties of the appeal. Both parties will be provided an equal opportunity to submit a written statement in support of or challenging the determination within ten (10) days of the written notice to both parties of the appeal being filed. The appeal will be heard by an appeal decision maker who is not the Title IX coordinator, the investigator or the original decision maker. The appeal decisionmaker cannot have a conflict of interest or bias against complainants and respondents generally or the particular complainant and respondent. The appeal decisionmaker will receive training as mandated by law. The decision of the appeal decisionmaker will be final and nonappealable. The written decision of the appeal decisionmaker will be provided within ten (10) days of the deadline for written statements supporting or challenging the initial determination. The written decision will be provided simultaneously to both parties.

11. Recordkeeping. The school district will keep records related to reports of alleged sexual harassment for a minimum of seven (7) years. Records maintained will include investigation records, disciplinary sanctions, remedies, appeals, and records of any action taken including supportive measures. Records will document in each instance that the school district's response was not indifferent and that measures were taken to restore or preserve equal access to educational programs or activities. If the school does not offer supportive measures in response to a report, the records should document why the response was not clearly unreasonable under the known circumstance.

SEXUAL HARASSMENT OF STUDENTS (Cont.)

The district will also post the training materials used to train Title IX coordinators, investigators, and decisionmakers on the district website at: www.apache.k12.ok.us. These materials will also be available to the public.

12. Retaliation. The board of education prohibits retaliation by the school district or any employees of the school district against any person for the purpose of interfering with Title IX rights or because the person has participated or refused to participate in any manner in a proceeding under Title IX regulations. Complaints of retaliation will be addressed under the district's grievance process.

Charging a person with a discipline violation or code of conduct violation based on a person's knowingly making a materially false statement in bad faith in an investigation is not retaliation.

REFERENCE: **Title VII of the Civil Rights Act of 1964**
42 U.S.C. §2000e-2
29 C.F.R. §1604.1, et seq.
U.S. Department of Education of Education, OCR, Title IX Regulations Addressing Sexual Harassment.

SEXUAL HARASSMENT INCIDENT REPORT FORM

Date: _____ Time: _____ Room/Location: _____

Student(s) Initiating Alleged Sexual Harassment:

_____ Grade: _____ Class: _____

_____ Grade: _____ Class: _____

Student(s) Affected:

_____ Grade: _____ Class: _____

_____ Grade: _____ Class: _____

Check all spaces below that apply. Adult stated or identified inappropriate behaviors as:

_____ Name Calling
_____ Stalking
_____ Inappropriate Gesturing
_____ Staring/Leering
_____ Writing/Graffiti
_____ Threatening
_____ Taunting/Ridiculing
_____ Inappropriate Touching
_____ Other _____

_____ Spitting
_____ Demeaning Comments
_____ Stealing
_____ Damaging Property
_____ Shoving/Pushing
_____ Hitting/Kicking
_____ Flashing a Weapon
_____ Intimidation/Extortion

Describe the incident:

_____

_____

Witnesses Present: _____

Physical evidence: Graffiti _____ Notes _____ E-mail _____ Web sites _____ Video/audio tape _____
Other _____

Staff signature _____

Parent(s) contacted: Date _____ Time _____

Administrative response taken:

_____

WRITTEN NOTICE TO KNOWN PARTIES REGARDING ALEGATIONS OF SEXUAL HARASSMENT

On the __ day of _____, 20__, the district received formal notification of an allegation of sexual harassment. The respondent is presumed not responsible for the conduct. Responsibility will be determined at the conclusion of the grievance process. Both parties are entitled to have an advisor and to review and inspect evidence. The district's student discipline policies prohibit making false statements or providing false information in the grievance process. Both parties will be treated equally during the investigation and process to resolve the allegations. The district's grievance procedure is located at policy FB, a copy of which is attached to this correspondence, and includes the following steps:

1. Informal resolution. If the parties' consent, informal resolution procedures may be utilized to revolve the allegation.

2. Notice and Summary of Allegations. (Sufficient details must be included here to allow the respondent to prepare a response).

3. Investigation of Allegations. The school district has designated _____ to act in the role of the investigator. Contact information is as follows: (insert contact information).

4. Interviews. Interviews may be scheduled in accordance with school district policy.

5. Evidence. Both parties will have the right to review all evidence that is directly related to the allegations in the complaint.

6. Report. A written investigation report will be provided to both parties at least ten days prior to a hearing or determination of responsibility.

7. Hearing. The Title IX coordinator will determine on a case by case basis as to whether the hearing will be a live hearing or whether it will be a written hearing.

8. Determination of Responsibility. A decisionmaker, who is not the Title IX coordinator or the investigator, will apply (a preponderance of the evidence or a clear and convincing evidence standard) to determine responsibility and will issue a written determination.

9. Appeals. An appeal may be filed by either party in accordance with district policy.

Records of this allegation will be maintained for a minimum of seven (7) years.

At this time, the respondent may prepare a written response before an initial interview. The interview is tentatively scheduled for _____.and will be held at _____. If you have any questions, please contact me at _____.

Sincerely,

_____
Title IX Coordinator

WRITTEN REPORT

On the ___ day of ____, 20___ an allegation of sexual harassment was provided to the school district. The allegations were as follows (insert allegations in summary format). I conducted an investigation into the allegations as follows (summarize investigation and include evidence).

This document is formal notice to both parties of the evidence.

Sincerely,

_____

Investigator

STUDENT RESIDENCY

It is the policy of the Boone-Apache Board of Education that the residence of any child for school purposes shall be the legal residence of the parents, guardian, or person having legal custody within the district as defined in 70 O.S. §1-113 (C). Provided that such parent, legal guardian, person, or institution having legal custody contributes in a major degree to the support of such child. Provided, further, that any child residing in the district who is entirely self-supporting shall be considered a resident of the school district if the child works and attends school in the school district. Questions concerning legal residence of children shall be determined pursuant to procedures utilized by the State Department of Education in accordance with 70 O.S. §1-113.

The superintendent or designee may require the submission of evidence of residency in order to determine whether the student is eligible to attend the public schools or programs without payment of nonresident tuition. Such evidence may include, but is not necessarily limited to, the following:

1. Proof of payment of local personal income tax or ad valorem taxes;
2. Title to residential property in the district, or a valid unexpired lease agreement, or receipts for payment of rent on a district residence in which the applicant actually resides;
3. Proof of provisions of utilities;
4. A valid, unexpired motor vehicle operator's permit or motor vehicle registration;
5. Maintenance of voter registration;
6. Notarized affidavit verifying residency and that the affiant has assumed the permanent care and custody of the student. (The filing of a false affidavit shall be subject to punishment in accordance with 70 O.S. §1-113(A)(1).)

Homeless Students

In accordance with the Federal McKinney Homeless Assistance Act, homeless children shall have access to the same free and appropriate public education as provided to other children. The board shall make reasonable efforts to identify homeless children within the district, encourage their enrollment, and eliminate existing barriers to their education that may exist in district policies or practices. No child or youth shall be discriminated against in this school district because of homelessness.

Children are deemed to be homeless under the following conditions:

1. A child who is lacking a fixed regular and adequate nighttime residence and who has a primary nighttime residence that is a publicly or privately operated shelter designed to provide temporary living accommodations, a

STUDENT RESIDENCY (Cont.)

temporary residence prior to institutionalization, or a place not designed or ordinarily used as a regular sleeping accommodation for human beings.

2. A child who is placed in a transitional or emergency shelter before placement in a foster home or home for neglected children.
3. A child who is temporarily living in a trailer park or camping area due to lack of adequate living accommodations.
4. A child who is living in doubled-up accommodations due to loss of housing or other similar situation.
5. A migratory child who is staying in accommodations not fit for habitation.
6. A child who has run away from home and lives in a runaway shelter, abandoned building, the street, or other inadequate accommodations.
7. A child who is placed in a state institution because s/he has no other place to live.
8. A child who has been abandoned by his/her family and who is staying in a hospital.
9. A child whose parents or guardian will not permit him/her to live at home and who lives on the street, in a shelter, or in other transitional or inadequate accommodation.
10. School-age unwed mothers or expectant mothers who are living in homes for unwed mothers because they have no other available living accommodations.

The district administration shall attempt to remove existing barriers to school attendance by children in foster care and homeless children:

1. Enrollment requirements that may constitute a barrier to the education of a child in foster care or the homeless child or youth shall be waived. If the district is unable to determine the student's grade level due to missing or incomplete records, the district shall administer tests or utilize other reasonable means to determine the appropriate grade level for the child.
2. Fees and charges that may present a barrier to the enrollment or transfer of a child in foster care or a homeless child or youth shall be waived.
3. Customary transportation policies and regulations shall be waived.
4. Official school records policies and regulations shall be waived.

STUDENT RESIDENCY (Cont.)

5. The district shall make a reasonable effort to locate immunization records from information available or shall arrange for students to receive immunizations through health agencies and at district expense if no other recourse is available. Immunizations may, however, be waived for homeless youth only in accordance with provisions of board policy on immunizations. (See policy FFAB.)

6. Other barriers to school attendance by a child in foster care or a homeless youth shall be waived.

The district will provide to each homeless child such school services that are comparable to services offered to other students in the district and that are determined to be in the child's best interest. Such services will include:

1. Public preschool programs;

2. Special education, Title I, and limited English proficiency programs for which they are eligible;

3. Vocational education programs;

4. Gifted and talented programs;

5. Before and after school programs;

6. School meal programs; and

7. Transportation services.

Residency Officer

The school district designates the superintendent as residency officer. The residency officer may be contacted by calling the school district at 580-588-3369 or by writing to the residency officer at the following address, or by personally visiting the residency officer at 522 East Floyd Street, Apache, OK 73006.

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If this school district denies admittance of a student who claims to be a resident of the district, the parent, guardian, or person having care and custody of the student may request a review of the residency officer's decision. Such request for review shall be in writing and must be received by the residency officer within three school days of the denial of admittance. The request for review shall include any additional pertinent information that may justify the admittance of the child to the school district.

Upon receipt of a written request for review, the residency officer will render a decision and notify the parent of the decision within three school days of the receipt of the request for review.

If the parent disagrees with the findings of the residency officer, the parent will notify the residency officer within three school days of the receipt of the decision. The residency officer will submit his/her findings and all documents reviewed to the board of education.

STUDENT RESIDENCY (Cont.)

The board of education will review the decision and the documents submitted by both the residency officer and the student and render a decision at the next board meeting. The board's decision may be appealed only pursuant to procedures utilized by the State Department of Education.

The Superintendent will designate a Point of Contact (POC) to coordinate activities relating to the District's provision of services to children placed in foster care, including transportation services.

The District will collaborate with Child Welfare Agencies when transportation is required for children placed in foster care to attend the school of origin outside their usual attendance area or the district when in the best interest of the student. Under the supervision of the Superintendent/designee, the District POC will invite appropriate District officials, Child Welfare Agencies, and officials from other districts or agencies to consider how such transportation is to be promptly arranged and funded in a cost effective manner.

DEFINITIONS

"Foster Care" means 24-hour care and supportive services provided to children placed away from their parents, guardians, or person exercising custodial control or supervision and for whom the foster parent has placement care and responsibility.

"School of origin" means the school in which a child is enrolled at the time of placement in foster care.

"Best Interest" means a case -by-case determination of the appropriateness of the current educational setting and the proximity of placement as required by ESEA section 1111(g)(1)(E)(i). Factors be utilized in this determination include, but are certainly not limited to, the following:

1. Safety considerations;
2. Proximity of the resource family home to the child's present school;
3. Age and grade level of the child as it relates to the other best interests factors;
4. Needs of the child, including social adjustment and well-being;
5. Child's performance, continuity of education and engagement in the school the child presently attends;
6. Child's special education programming if the child is classified;
7. Point of time in the school year;
8. Child's permanency goal and likelihood of reunification;
9. Anticipated duration of the placement;
10. Preferences of the child;
11. Preferences of the child's parent(s) or education decision maker(s)
12. The child's attachment to the school, including meaningful relationships with staff and peers;
13. Placement of the child's sibling(s);
14. Influence of the school climate on the child, including safety;
15. Availability and quality of the services in the school to meet the child's educational and socio-emotional needs;
16. History of school transfers and how they have impacted the child;
17. How the length of the commute would impact the child, based on the child's developmental stage;

STUDENT RESIDENCY (Cont.)

18. Whether the child is a student with a disability under the IDEA who is receiving special education and related services or a student with a disability under Section 504 who is receiving special education or related aids and services and, if so, the availability of those required services in a school other than the school of origin; and
19. Whether the child is an EL and is receiving language services, and, if so, the availability of those required services in a school other than the school of origin, consistent with Title VI and the EEOA.

REFERENCE: 70 O.S. §1-113, §1-114
70 O.S. §18-111

A POLICY ON THIS TOPIC IS REQUIRED BY LAW.

STUDENT RESIDENCY DISPUTE PROCEDURES

The superintendent of schools shall serve as the district residency officer.

If a dispute arises regarding a student's residency, or residency status as "homeless" under the McKinney-Vento Homeless Assurance Act, the parent or guardian may request a review of the ruling by the superintendent. Any question or dispute as to the residence of a student shall be determined by the superintendent pursuant to the following procedures:

1. If the school district initially denies admittance of a student who claims to be a resident of the district, the parent, guardian, or person having care and custody (hereafter parent) of the student shall be informed that a request may be made for a review of the decision of the local residency officer.

2. If, during the course of the school year, a dispute arises as to the residence of a student who is enrolled and attending school, the student shall be allowed to continue attending Boone-Apache schools until these dispute procedures have been exhausted.

3. The parent of the student may request a review by notifying the residency officer in writing within three (3) school days from denial of admittance. Upon receipt of a request for review, the residency officer shall allow the parent to provide additional pertinent information in accordance with the district's criteria and the statutory provisions regarding residency. The information must be submitted with the request for review.

4. Within three (3) school days of the receipt of the request for review, the residency officer must render a decision and notify the parent, in writing, of the decision and the reasoning therefor.

5. In the event the parent disagrees with the decision, the parent shall notify the residency officer within three (3) school days of receipt of the residency officer's decision. The residency officer will submit to the board of education his or her findings and all documents reviewed. The board of education will review the decision and the documents submitted on behalf of the district and the student and render a decision at the next board meeting. The board's decision shall be the final administrative decision.

6. In an effort to place students in school as quickly as possible, timelines shall be followed unless, due to emergency circumstances, both parties agree to an extension of timelines.

Any question as to the place of residence of any child for school purposes shall be decided pursuant to procedures utilized by the State Department of Education.

LEGAL REFERENCE: **42 U.S.C. 11432**

STUDENTS:
ENROLLMENT REQUIREMENTS

It is the policy of the Boone-Apache Board of Education that children who are at least four (4) years of age but not more than five (5) years of age on or before September 1 and have not attended a public school kindergarten may be enrolled in either a half-day or full-day non-compulsory, early childhood program free of charge. No child shall be enrolled in Kindergarten unless the child has reached five years of age on or before the first day of September of the year the child intends to enroll. No child shall be enrolled in the first grade unless the child will have reached the age of six (6) on or before September 1 of the school year. Age may be verified by a birth certificate, parent's statement, a physician's statement, or previous educational records.

The superintendent or designee will be responsible for the receipt of all applications for admission, the conduct of registration procedures, and for certification that all admission requirements and prerequisites have been properly met by the student. Placement in a specific class or grade level will be based on administrative determination.

All children between the ages of 5 and 21 on or before September 1 who reside within this school district are entitled to attend public school regardless of nationality or citizenship provided other age and residence requirements are met. Maximum age to which students may attend school tuition-free is twenty-one except that any person between the ages of 21 and 26 may attend school if it was impossible for the person to have finished the twelfth grade before the age of 21. Such person must show an inability to attend school for definite periods of time because of a physical disability or service in the armed services.

Termination of attendance before graduation from high school or before reaching the age of eighteen may be permitted by mutual consent of the superintendent and the parent, legal custodian, or legal guardian of the student.

A student who has been suspended out-of-school from a public or private school in the State of Oklahoma or another state for a violent act or an act showing deliberate or reckless disregard for the health or safety of faculty or other students shall not be entitled to enroll in this school district until the terms of the suspension have been met or the time of suspension has expired.

This district shall not provide education services in the regular school setting to any student who has been removed from any public or private school in Oklahoma or any other state until the district determines that the student no longer poses a threat to himself or others.

The district may consider providing alternative educational services such as home-based instruction. If the student is on an individualized education plan (IEP), education services will be provided according to that plan.

REFERENCE: 70 O.S. §1-114
70 O.S. §5-132
70 O.S. §18-108, §18-111

ELECTRONIC SIGNATURES

The Board recognizes the effective and efficient use of electronic communications to conduct business. Under certain conditions electronic signatures satisfy the requirements of a written signature when transacting business. Although all electronic signatures are represented digitally, they can take many forms and can be created using many different types of technology. The authenticity and reliability of electronic signatures relating to transactions are dependent on the accompanying processes, supplemental records and the overall context in which records are created, transferred, signed, and stored.

Definitions

Attribution - an electronic signature is attributable to a person if it was the act of the person. The act of the person may be shown in any manner, including a showing of the efficacy of any security procedure applied to determine the person to which the electronic signature was attributable.

Electronic Signature - an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

Electronic Record - any record created, generated, sent, communicated, received or stored by electronic means.

An electronic signature may be used if the law requires a signature unless there is a specific law, regulation, or order that requires records to be signed in nonelectronic form. The issuance and/or acceptance of an electronic signature by the District shall be permitted in accordance with the provisions of this policy and all applicable state and federal laws. Such electronic signature shall have the full force and effect of the manual signature only if the electronic signature satisfies all of the following requirements:

1. The electronic signature identifies the individual signing the document by his/her name and title;
2. The identity of the individual signing with an electronic signature is capable of being validated through the use of an audit trail;
3. The electronic signature and the document to which it is affixed cannot be altered once the electronic signature has been affixed; and
4. The electronic signature conforms to all other provisions of this policy.

Acceptance, Use and Issuance of Electronic Records and Signatures

The District may utilize electronic recordkeeping systems that can receive, store, and reproduce electronic records and signatures relating to transactions in their original form. Such system shall include security procedures whereby the District can:

1. Verify the attribution of a signature to a specific individual;
2. Detect changes or errors in the information contained in a record submitted electronically;
3. Protect and prevent access, alteration, manipulation or use by an unauthorized person; and
4. Provide for nonreproduction through strong and substantial evidence that will make it difficult for the signer to claim that the electronic representation is not valid.

ELECTRONIC SIGNATURES (Cont.)

The District shall ensure that all electronic signatures are capable of being accurately reproduced for later reference and retained until such time as all legally mandated retention requirements are satisfied.

The District may elect to receive and accept as original, electronic records and signatures so long as the communication, on this face, appears to be authentic, and conforms to all other provisions of this policy.

The District will retain in its records this policy and all statements of exclusive use, until such time as all legally mandated retention requirements are satisfied.

The District will not accept electronic signatures on student records including, but not limited to, absence excuses from parents/guardians, educational trip requests, and certain documents related to the Individuals with Disabilities Education Act.

EDUCATION OF MIGRATORY CHILDREN

The school district shall provide migratory students with appropriate educational services that address their unique needs in a coordinated and efficient manner. "Migratory child" shall mean a child who is, or whose parents or spouse is, a migratory agricultural worker, including a migratory dairy worker, or a migratory fisher, and who, in the preceding thirty-six (36) months, in order to obtain, or accompany such parent or spouse, in order to obtain temporary or seasonal employment in agricultural or fishing work has moved from one school district to another.

Priority for services shall be provided to those migratory children who:

1. Are failing or are at risk of failing to meet the Oklahoma Academic Standards; and
2. Whose education has been interrupted during the regular school year.

Continuation of services shall be provided by the school district to:

1. A child who ceases to be a migratory child during a school term for the remainder of the school year.
2. A child who is no longer a migratory child may continue to receive services for one (1) additional school year if comparable services are not available through other programs; and
3. Secondary school students who were eligible for services in secondary school may continue to be served through credit accrual programs until graduation.

The school district shall comply with all state and federal requirements in the implementation and expenditure of federal funds designated for the education of migratory children. Migratory children who qualify for special education services shall be provided a free, appropriate education in accordance with federal law.

LEGAL REFERENCE: **ESSA, Sections 1301-1309.**

STUDENT ATTENDANCE

The Boone-Apache Board of Education believes that in order for students to realize their fullest potential from educational efforts, they should attend all classes if possible. Realizing that some absences may be beyond a student's control, the board has adopted a policy requiring students to have a maximum of 12 absences each semester to receive credit for any course in which the student is enrolled. Exceptions to this requirement will be considered by the board on an individual, case by case basis.

The superintendent is directed to establish an attendance regulation, subject to board approval, which supports this policy.

REFERENCE: **70 O.S. §10-105, §10-106**
Department of Education, Administrator's Handbook

ATTENDANCE POLICY (REGULATION)

The board of education believes that attendance in regularly scheduled classes is a key factor in student achievement. However, it is important for those students who are ill to stay home when sick. Students who have a fever or a measured temperature greater than or equal to 100 degrees Fahrenheit should not be at school or school activities. The board recognizes, however, that the cocurricular program of the school also has educational benefit. Therefore, it shall be the policy of this board to minimize absenteeism from regular classes while providing students the opportunity to participate in cocurricular activities.

ABSENCES

Excused absence will be granted for the following reasons:

1. Personal or family illnesses
2. Medical appointments
3. Legal matters, including service on a grand, multicounty grand, or petit jury *
4. Extenuating circumstances deemed necessary by the principal
5. Observance of holidays required by student's religious affiliation.

It is the responsibility of the parent to notify the school if a child is to be absent for one of the above reasons. The school will contact those students' parents who do not call. If no contact is made, the parent must send a note or call the day the child returns before the student can be excused. The student may promptly make up all work missed without penalty. It is the responsibility of the student, on the day of return, to make arrangements to see that the work is made up.

The district will not require medical documentation to support personal or family illness that results in an excused absence. However, students will be required to make up any work that has been missed. Student absences due to a severe, chronic, or life-threatening physical or mental illness, injury, or trauma will be exempted from inclusion in the calculation of the chronic absenteeism indicator of the applicable school site so long as the determination of eligibility is made by the district's medical exemption review committee. The district's medical exemption review committee will be designated by the superintendent on a yearly basis and shall report student absences that are medically exempt to the Oklahoma State Department of Education (OSDE) Office of Accountability.

A student will not be considered absent from school if:

1. They are not physically present at school but are completing work in a distance learning program or virtual online program approved by the school district and are meeting the following attendance requirements:

    a. The student has completed instructional activities on no less than ninety (90%) of the time that services were provided in a virtual or distance learning format to include online logins to curriculum or programs, offline activities, completed assignments, testing, face-to-face communications or meetings with school personnel via teleconference, videoconference, email, text, or phone,

    b. The student is on pace for on-time completion of the course as required by the school district,

ATTENDANCE POLICY, REGULATION (Cont.)

c. The student has completed instructional activities within the time that services were provided in a virtual or distance learning format during the academic year; or

2. They have a medical condition that incapacities the student and precludes them from participating in instruction in a traditional school setting and the student is able to progress in instruction via alternative education delivery methods approved by the local board of education.

School Activity

1. The student will be allowed to be absent from the classroom for a maximum of ten days per semester to participate in activities sponsored by the school.

2. The student will be allowed to make up any work missed while participating.

3. Students may ask for up to an additional 5 activity absences which must be approved by the principal.

4. Exempt from the 10-day limit are school sponsored state and national contests for which student have earned the right to compete, as well as class or organizational meetings, student body assemblies, intra-school scheduled events, serving as ap age at the state capitol, and interscholastic curriculum contests.

Absence by Arrangement

These are absences in which the parents deem it necessary that a child miss school for reasons other than those that fall within an excused absence.

1. A student may take up to 5 days of absences by arrangement per semester.

2. A student may make up all work missed without penalty. It is up to the student, on the day of return, to make arrangements to see that the work is made up.

3. In order to take an absence by arrangement, the parent, or guardian, must submit, at least two days prior to the absence, a written request for the student to be absent. If the request is not made as required, the absence will be treated as an unexcused absence.

4. Absences by arrangement will count against a student's exemption from semester tests.

Unexcused Absence

This is any absence that does not fall within one of the above categories. 10 unexcused absences will result in that student not receiving credit in that class for the semester.

Truancy

A student is considered truant when absent from the classroom without the knowledge of either the school or the parent or if the parent does not compel the student to attend school.

Tardies

1. A student is tardy who is not in the student's seat when the bell to begin the period sounds.

2. A student who is more than 15 minutes late is counted absent for the period.

ATTENDANCE POLICY, REGULATION (Cont.)

3. Each 3 tardies will constitute an unexcused absence from that class.

Any student who exceeds the 10-day limit for unexcused absences may appeal to the board of education for reinstatement of credit. Consideration will be given as to the reason for the absences as well as to the attempts by parents to minimize the absenteeism.

Chronic Absenteeism

Chronic absentee means a student who is absent 10 percent or more of the school days in the school year exclusive of a significant medical condition, when the total number of days the student is absent is divided by the total number of days the student is enrolled, and school was actually taught in the regular schools of the district, exclusive of Saturdays and Sundays. When a student is identified as a chronic absentee, the Superintendent or designee shall communicate with the student and his/her parents/guardians to determine the reason(s) for the excessive absences, ensure the student and parents/guardians are aware of the adverse consequences of poor attendance, and jointly develop a plan for improving the student's school attendance.

A significant medical condition means a severe, chronic, or life-threatening physical or mental illness, infection, injury, disease, or emotional trauma. Any COVID-19 related absences due to a child's medical needs will be considered a significant medical condition.

*** LEGAL REFERENCE:** **38 O.S. §37**
70 O.S. § 10-105
70 O.S. § 3-145.8

MEDICAL EXEMPTION REVIEW COMMITTEE PROCESS FOR ELIGIBLE EXEMPTIONS AND DOCUMENTATION FOR DECISION

Members of the committee shall adhere to the Family Educational Rights and Privacy Act (FERPA) with regard to the review of confidential student records. The committee will review student absences and make a determination as to which absences may qualify as an absence for a severe medical condition and as a result be exempt from inclusion in the calculation of the chronic absenteeism indicator of the applicable student's school sites. In deciding, the committee will utilize the following definition of severe medical condition:

"A severe, chronic, or life-threatening physical or mental illness, infection, injury, disease, or emotional trauma."

If it is determined that a student's absence meets the definition, that absence will be documented via a notation by the building principal in the student's attendance log as being for a severe medical condition.

The district will report all absences determined to be medically exempt to the Oklahoma State Department of Education Office of Accountability.

DOCUMENTATION

On the ___ day of _____, 20___, the Medical Exemption Review Committee met at ____ o'clock to review absences to determine which absences, if any, met the "severe medical condition" exemption for purposes of the school district's chronic absenteeism indicator. The following situations were found to meet the definition:

Student _____.

Severe Medical Condition _____.

Date of Absences _____.

The committee agreed on this decision with a vote of _____.

_____
Committee Chairperson

STUDENT TRANSFERS

The school district will not accept or deny a transfer based on ethnicity, national origin, gender, income level, disabling condition, proficiency in the English language, measure of achievement, aptitude or athletic ability. Receipt of applications will be documented by the district so that the district may review those applications in the order submitted for purposes of capacity limitations.

Transfers that have previously been approved by the school district will remain in effect for future school years unless the district provides notification to the parent or legal guardian that the transfer is not going to be continued for an upcoming school year due to disciplinary action or attendance issues. The district will not require parents resubmit a new application each school year and will advance the previous application of an enrolled student amending only the grade placement of the student.

A transfer may be requested at any time in the school year. State law does limit the ability of a student to transfer to no more than two (2) times per school year to one or more school districts in which the student does not reside. Exceptions to this limit will exist for students in foster care. Students are legally entitled to reenroll at any time in his or her school district of residence. Any brother or sister of a student who transferred in the previous school year may attend the school district to which their sibling transferred as long as the school district has capacity in the grade level and the sibling does not meet a basis for denial as listed below. A separate application must be filed for each student so that the district can timely consider requests in the order applications are received.

It is the policy of the board of education that any legally transferring student shall be accepted by the district under the following circumstances:

1. The district has the capacity to accept the student at the grade level at the school site;

2. The transferring student has not been disciplined for:

    a. violation of a school regulation,

    b. possession of an intoxicating beverage, low-point beer, as defined by Section 163.2 of Title 37 of the Oklahoma Statutes, or missing or stolen property if the property is reasonably suspected to have been taken from a student, a school employee, or the school during school activities, or

    c. possession of a dangerous weapon or a controlled dangerous substance while on or within two thousand (2,000) feet of public school property, or at a school event, as defined in the Uniform Controlled Dangerous Substances Act.

3. The transferring student does not have a history of absences. "History of absences" means ten or more absences in one semester that are not excused for the reasons provided in 70 O.S. § 10-105 or due to illness.

By the first day of January, April, July and October, the board of education shall establish the number of transfer students the district has the capacity to accept in each grade level for each school site within the district. The number of transfer students for each grade level at each site that the district has the capacity to accept will be posted in a prominent place on the school district's website. The district shall report to the State Department of Education the number of transfer students for each grade level for each school site which the district has the capacity to accept.

The district has a capacity of 20 students per grade level teacher in grades K-5.

The district has a capacity of 50 students per grade level teacher in grades 6-12.

TRANSFER POLICY(Cont.)

A student shall be allowed to transfer to a district in which the parent or legal guardian of the student is employed as a teacher as per 70 O.S. § 8-113.

The district will approve or deny the application and notify the parent of the student of the determination in writing within thirty (30) days of receiving an application. The school district shall enroll transfer students in the order in which they submit their applications. If the number of student transfer applications exceeds the capacity of the district, the district shall select transfer students in the order in which the district received the application. Students who are the dependent children of a member of the active uniformed military services of the United States on full-time active-duty status and students who are the dependent children of the military reserve on active duty orders shall be eligible for admission to the school district regardless of capacity of the district. Students shall be eligible for military transfer if:

1. At least one parent of the student has a Department of Defense issued identification card; and
2. At least one parent can provide evidence that he or she will be on active-duty status or active-duty orders, meaning the parent will be temporarily transferred in compliance with official orders to another location in support of combat, contingency operation or a national disaster requiring the use of orders for more than thirty (30) consecutive days.

If the transfer application is accepted, the district shall notify the parents of the acceptance. The parent shall provide the district with written notification that the student will be enrolling within ten (10) days of notification of acceptance. Failure to notify the school district within ten (10) days of acceptance shall result in the cancellation of the transfer. The district will provide a written noticed of the cancellation to the parent of the student immediately upon cancellation. If accepted, a student transfer is granted for the existing school year and may continue to attend in future years. At the end of the school year, the district may deny continued transfer of the student due to disciplinary reasons or a history of absences. Written notice of the intention to deny continued transfer of the student shall be given to a parent of a student no later than July 15. The parent may appeal the denial of a continued transfer.

If a transfer request is denied by the school district, the district shall provide notification of the denial in writing to the parent by either hand-delivery, by U.S. Mail or electronic mail. The notification shall include:
An explanation including but not limited to any citation to the statute, regulation, or school district policy under which the denial was made;

1. A copy of the policy adopted by the district for determining the number of transfer students the school district has the capacity to accept;
2. A copy of 210:10-1-18.1 from the Administrative Code; and
3. The date upon which the appeal will be due.

If a transfer request is denied by the administration, the parent or legal guardian of the student may appeal the denial within ten (10) days of notification of denial to the board of education. If notification was hand-delivered, the appeal period shall begin the day after the notification is delivered. If notification is sent by U.S. Mail, the appeal period shall begin three (3) days after the notification is mailed. If notification is sent via electronic mail, the appeal period shall begin the day after the notification is sent. The board of education shall consider the appeal at its next regularly scheduled board meeting if notice is provided prior to the statutory deadline for posting the agenda for the meeting. The board of education shall accept an otherwise untimely appeal if a parent of a student can establish that they did not receive actual notice of the notification denying the transfer request, and the appeal was submitted within ten (10) days after the parent of the student actually received notice.

TRANSFER POLICY(Cont.)

The appeal to the board of education shall be submitted to the office of the superintendent. The appeal shall include the following:

1. The name, address and telephone number of the parent of the student and the student for whom the appeal is being taken;
2. The date the district gave notice denying the transfer request;
3. The basis for appealing the decision of the school district; and
4. The name, address and telephone number of the legal representative, if applicable.

Appeal process: During the appeal, the board will review the action of the administration and the appeal paperwork submitted by the parent of the student to make sure that the district policy was followed with regard to the denial of the transfer. The board of education will meet in an executive session to review the educational records of the student. If the policy was not followed, the board of education shall return to open session to vote to overturn the denial and the transfer will be granted. This will be a paper appeal and will include the written documentation utilized by the school district as well as a written response from the parent or legal guardian which explains why the policy was not followed.

If the board of education votes to deny an appeal of a request to transfer, the board of education shall instruct the superintendent to provide notification of denial in writing to the parent of the student by either hand-delivery, by U.S. Mail, or by electronic mail. The notification shall include:

1. An explanation, including the legal citation to the statute, regulation, or school district policy under which the denial was made;
2. A copy of the policy adopted by the board of education for determining the number of transfer students the district has capacity to accept;
3. A copy of the State Board of Education's prescribed form for an appeal; and
4. A copy of 210:10-1-18.1 which identifies the Accreditation standard for appealing the denial of a student transfer.

If the board of education votes to uphold the denial of the transfer, the parent or legal guardian may appeal the denial within ten (10) days of the notification of the appeal denial to the State Board of Education. The parent or legal guardian shall submit to the State Board of Education and to the superintendent of the district, a notice of appeal on the form prescribed by the State Board of Education. The superintendent shall immediately provide a copy of the appeal to each member of the board of education. Upon receipt of notice of an appeal, but not later than five (5) days prior to the date at which the State Board of Education is scheduled to consider the appeal the board of education may submit a written response to the appeal. Responses should not exceed five (5) pages. If not submitted by the parent, the board of education shall provide a copy of the policy adopted to determine the number of transfer students the district has the capacity to accept in each grade level for each school site within the district. The parent and the school district will have an opportunity to appear in person or by authorized representative or by attorney to address the State Board at the meeting.

A student who enrolls in a school district in which the student is not a resident shall not be eligible to participate in school-related extramural athletic competition governed by the Oklahoma Secondary School Activities Association for a period of one (1) year from the first day of attendance at the receiving school unless the transfer is from a school district which does not offer the grade the student is entitled to pursue as per 70 O.S. § 8-103.2.

TRANSFER POLICY(Cont.)

REFERENCE: 70 O.S. §1-114
70 O.S. §1-113
70 O.S. §5-117.1
70 O.S. §8-101, et seq.
70 O.S. §24-101, et seq.; §24-102
Family Education Rights and Privacy Act
Atty. Gen. Op. No. 87-134, April 1, 1988
State Accreditation Standards 210:10-1-18 and 210:10-1-18.1

A POLICY ON THIS TOPIC IS REQUIRED BY LAW

STUDENT TRANSFERS FOR CHILDREN OF EMPLOYEES

Children or wards of individuals employed by the school district shall be allowed to transfer into the school district without regard to other transfer policies. A student who enrolls pursuant to this policy shall not be eligible to participate in school-related extramural athletic competition governed by the Oklahoma Secondary School Activities Association for a period of one (1) year from the first day of attendance unless the transfer is from a school district which does not offer the grade the student is entitled to pursue. Eligibility requirements are governed by the Oklahoma Secondary School Activities Association.

REFERENCE: 70 O.S. §8-113
70 O.S. §8-103.2

STUDENT TRANSFERS FOR CHILDREN OF ACTIVE DUTY MILITARY MEMBERS

The school district shall allow the transfer of students who are dependent children of a member of the active uniformed military services of the United States on full-time active duty status and for whom Oklahoma is the home of record and students who are the dependent children of a member of the military server on active duty orders and for whom Oklahoma is the home of record. Transfers will be approved if:

a. At least one parent of the student has a Department of Defense-issued identification card;

b. At least one parent can provide evidence that he or she will be on active duty status or orders, meaning the parent will be temporarily transferred in compliance with official orders to another location in support of combat, contingency operation, or a natural disaster requiring the use of orders for more than thirty (30) consecutive days; and

c. The student will be residing with a relative of the student who lives in the receiving school district or who will be living in the receiving school district within six (6) months of the filing of the application for transfer.

REFERENCE: 70 O.S. §8-103.1

POLICY REQUIRED BY LAW

TRANSFERS FOR SPECIAL EDUCATION STUDENTS

If a transfer application is received for a child with disabilities to a school district other than the district of residence of the child pursuant to the Education Open Transfer Act the following provisions shall apply:

1. The school district shall establish availability of the appropriate program, staff, and services prior to approval of the transfer;

2. Prior to the approval of the transfer of a child on an individualized education program (IEP), a joint IEP conference shall be required between the district of residence and the receiving district; and

3. Upon approval of the transfer, the receiving district shall claim the child in the average daily membership for state and for federal funding purposes and shall assume all responsibility for education of the child. For state funding purposes, the State Department of Education shall include the appropriate grade level weight and all category weights to which the pupil is assigned pursuant to the provisions of Section 18-201.1 of this title when calculating State Aid pursuant to the provisions of Section 18-200.1 of this title, regardless of whether the receiving district provides education to the student using traditional in-class means or via online instruction. When applicable, the receiving district may apply to the Oklahoma Special Education Assistance Fund for assistance in meeting any extraordinary costs incurred.

REFERENCE: 70 O.S. §13-103

HEALTH:
STUDENTS

The Boone-Apache Board of Education believes that the goals of educators should include training that helps our children to grow into productive and responsible adults.

While the general health and physical maintenance of a child is the responsibility of the parent, the board believes that teachers and administrators should encourage students to become aware of the value of a healthy mind and body.

If a teacher or an administrator becomes aware of a health problem involving a student, the parents or legal guardian of the student shall be notified and a conference with the parents be scheduled. If efforts to resolve the problem through consultation with the parents are not successful, the administrator shall consider referring the matter to the Department of Human Services.

Health education shall, whenever possible, be incorporated into the subject matter of all courses of instruction. There shall also be established definite time allocations for the teaching of health education.

Any child who is determined to be afflicted with a contagious disease, as currently defined by the Oklahoma Department of Health shall be prohibited from attending school until a health officer has determined that the child is free of ~~head lice or~~ the contagious disease or that the disease is no longer contagious.

The school district will prohibit a child with head lice from attending school until such time as the child no longer has been identified as having head lice.

REFERENCE: 70 O.S. §5-117, §10-105, §11-103, §1210.194
63 O.S. §1-507

CONTAGIOUS AND LIFE THREATENING DISEASES

The Boone-Apache Board of Education is concerned for the health and well-being of students and staff of the public schools. While the general health and physical well-being of a student is the responsibility of the parent, the board believes that teachers and administrators should promote and encourage the maintenance of a healthy body and mind.

Oklahoma law (70 O.S. §1210.194 and 63 O.S. §1-507) prohibits any child afflicted with a contagious disease from attending a public, private, or parochial school until such time as the child is free from such contagious disease.

Oklahoma law (70 O.S. §10-105 [1]) also permits the exclusion of a child by reason of mental or physical disability as determined by the board of education upon a certificate of a duly-licensed and practicing physician.

The board of education recognizes the possibility of students and staff acquiring and/or transmitting a contagious disease. Children may be excluded from school when the board believes exclusion is necessary to promote the safety and well-being of students and staff.

IMMUNIZATIONS
STUDENTS

The Boone-Apache Board of Education shall provide an environment for students to study, interact, and learn. Such an environment shall be reasonably free of known hazards that may threaten or endanger the health of our children or educators.

The board of education shall require that no child be admitted to this school unless and until certification from a licensed physician or authorized representative of the State Department of Health is presented to the school administrators that such child has received or is in the process of receiving the immunization required by the State Department of Public Health unless an exemption has been granted from the immunizations on medical, religious, or personal grounds.

If a parent or guardian is unable to pay for the required immunizations, the school will refer the student to the State Department of Public Health for assistance.

REFERENCE: 70 O.S. §1210.191, et seq.
Oklahoma State Department of Health Regulations

FIRST AID
STUDENTS

The Boone-Apache Board of Education recognizes the school's responsibility for emergency handling of accidents and sudden illnesses occurring at school or on school property. The superintendent shall prepare regulations supporting this policy and establishing a procedure for assisting students who become ill or injured during the school day.

The superintendent shall emphasize to students and parents that, in order to obtain emergency medical care, a medical release form signed by a parent/guardian must be on file. If a medical release is not on file, emergency medical care will be provided in life-threatening situations only. The regulation prepared by the superintendent must be approved and adopted by the board.

FIRST AID
STUDENTS
(REGULATION)

In accordance with the policy of the board of education, the following procedure will be followed in the event of personal injury or sudden illness involving a student.

If a student becomes injured or ill during the school day or while attending a school-sponsored activity, any staff member present should render first aid and summon a school nurse. If a school nurse or other professional medical person is not available the staff person will:

A. Administer first aid to the child or injured person.

B. Notify the student's parent or guardian, if possible; otherwise, follow instructions on student's enrollment card, if available.

C. In the event of an extreme emergency, summon professional care, with or without parental permission.

In the absence of family transportation or ambulance service, the school nurse, principal, teacher, or other school personnel may transport the student to the student's home, to a physician's office, or to a hospital. An ill or injured student shall be accompanied by an adult.

Medication shall not be administered by school personnel, including the school nurse, without a prescription or a written order from a physician.

A written report of any accident or serious illness must be made as soon as possible, but not later than noon of the following school day.

MEDICATION: ADMINISTERING TO STUDENTS

It is the policy of the Boone-Apache Board of Education that if a student is required to take medication during school hours and the parent or guardian cannot be at school to administer the medication or if circumstances exist that indicate it is in the best interest of the student that a nonprescribed medication be dispensed to that student, the principal, or the principal's designee, may administer the medication only as follows:

1. Prescription medication must be in a container that indicates the following:

   A. student's name,
   B. name and strength of medication,
   C. dosage and directions for administration,
   D. name of physician or dentist,
   E. date and name of pharmacy, and
   F. whether the child has asthma or other disability which may require immediate dispensation of medication.

   The medication must be delivered to the principal's office in person by the parent or guardian of the student unless the medication must be retained by the student for immediate self-administration. The medication will be accompanied by written authorization from the parent, guardian, or person having legal custody that indicates the following:

   A. purpose of the medication,
   B. time to be administered,
   C. whether the medication must be retained by student for self-administration,
   D. termination date for administering the medication, and
   E. other appropriate information requested by the principal or the principal's designee.

2. Self-administration of inhaled asthma medication by a student for treatment of asthma, ~~or~~ an anaphylaxis medication used to treat anaphylaxis, and the self-administration of replacement pancreatic enzymes by a student for treatment of cystic fibrosis is permitted with written parental authorization. The parent or guardian of the student must also provide a written statement from the physician treating the student that the student has asthma or anaphylaxis and is capable of, and has been instructed in the proper method of, self-administration of medication. Additionally:

   A. The parent or guardian must provide the school with an emergency supply of the student's medication to be administered as authorized by state law.

   B. The school district will inform the parent or guardian of the student, in writing, and the parent or guardian shall sign a statement acknowledging, that the school district and its employees and agents shall incur no liability as a result of any injury arising from the self-administration of medication by the student.

   C. Permission for the self-administration of asthma, anaphylaxis medication, or replacement cystic fibrosis enzymes is effective for the school year for which it is granted and shall be renewed each subsequent school year upon fulfillment of the above requirements.

MEDICATION: ADMINISTERING TO STUDENTS (Cont.)

D. A student who is permitted to self-administer asthma medication or anaphylaxis medication shall be permitted to possess and use a prescribed inhaler, ~~or~~ anaphylaxis medication, or replacement pancreatic enzyme medication at all times.

E. Definitions:

1. **Medication** means a metered dose inhaler or a dry powder inhaler to alleviate asthmatic symptoms, prescribed by a physician and having an individual label, or an anaphylaxis medication used to treat anaphylaxis, including but not limited to Epinephrine injectors, prescribed by a physician and having an individual label, or replacement pancreatic enzymes prescribed by a physician and having an individual label.

2. **Self-administration** means a student's use of medication pursuant to prescription or written direction from a physician.

3. Students shall be permitted to possess and self-apply sunscreen that is regulated by the Food and Drug Administration without the written authorization of a parent, legal guardian, or physician. Students applying sunscreen are prohibited from applying sunscreen during instructional time. Aerosol spray must be applied outside of school buildings and away from other students. Students shall not be allowed to apply sunscreen to other students. Students who do not conform to these rules will be disciplined by the administration in accordance with school discipline policies.

4. Nonprescription medication may be administered only with the written request and permission of a parent, guardian, or person having legal custody when other alternatives, such as resting or changing activities, are inappropriate or ineffective. The medication will be administered in accordance with label directions or written instructions from the student's physician.

The administrator, or administrator's designee, will:

A. Inform appropriate school personnel of the medication being administered
B. Keep an accurate record of the administration of the medication
C. Keep all medication in a locked cabinet except medication retained by a student per physician's order
D. Return unused prescription medication to the parent or guardian only

The parent, guardian, or person having legal custody of the student is responsible for informing the designated official of any change in the student's health or change in medication.

This policy statement will be provided to a parent or guardian upon receipt of a request for long-term administration of medication.

REFERENCE: 10 O.S. §170.1
59 O.S. §353.1
70 O.S. §1-116, et seq.

MEDICATION: ADMINISTERING TO STUDENTS

AUTHORIZATION

Name _____ Grade _____

Teacher _____ School _____

Time to be administered _____ a.m. _____ p.m.

Date from _____ to _____

TO PARENT/GUARDIAN/INDIVIDUAL ASSUMING PERMANENT CARE AND CUSTODY: Is the medication that you wish administered to your child prescription medicine? _____. If so, please provide the name of the medical doctor who prescribed the medication: _____

Is the child's disability or illness such that the medication must be self-administered by the child (asthma, etc.)? _____. If so, the student's medical doctor should include a statement to that effect in the child's prescription. The parent or guardian must provide a written statement from the physician treating the student that the student has asthma and is capable of, and has been instructed in the proper method of, self-administration of medication.

Prescription medication must be furnished by the parent or guardian with the original label prepared and attached by a pharmacist. The label must reflect the name, strength, and dosage of the medication and whether or not the medication may be self-administered by a minor. Non-prescription medication must be in the original container that must reflect the name and strength of the medication.

This form must be signed by the parent/guardian of the child named herein. The signature of the prescribing physician may be required at the discretion of the medication administrator.

_____ _____

Signature of Parent/Guardian/Individual Assuming Permanent Care and Custody — Date

_____ _____

Physician's Signature (required for self-administration of medication) — Date

PARENTAL AUTHORIZATION TO ADMINISTER MEDICINE

TO: _____
(Principal)

_____
(School)

I am the parent with legal custody, the legal guardian, or individual assuming permanent care and custody of _____ _____, a student attending this school. This student requires medication at intervals during the school day.

I hereby give my consent and authorize and request the school principal, or _____ (an employee of the school district designated by the principal, and me) to:

_____ Administer _____, a non-prescription medication that I am hereby supplying you, in accordance with the written instructions of the child's physician that is attached hereto.

_____ Administer _____, a filled prescription medication that I am hereby supplying you, in accordance with the directions for the administration of the medicine listed on the label of the vial.

_____ Administer _____, a filled prescription medication that I am hereby supplying you, in accordance with the written instructions of the physician prescribing the medicine, which is attached hereto.

_____ Permit the student to retain the medication on the student's person since the medication must be administered at unpredictable intervals throughout the day. A physician's statement that the student is capable of, and has been instructed in the proper method of, self-administration of medication is attached.

I understand that under state law, the board of education, the school district, or the employees of the district shall not be liable to the student or the student's parent or guardian for civil damages for any personal injuries to the student which result from acts or omissions of school employees in administering the medicine I have hereby authorized or from the self-administration of medication by the student.

Dated this _____ day of _____, _____.

_____
(Parent with Legal Custody, Guardian, or Individual Assuming Permanent Care and Custody)

_____
(Address)

WITNESS:
_____

LOG OF THE ADMINISTRATION OF MEDICINE FOR THE _____ SCHOOL SCHOOL YEAR _____ - _____

DATE MEDICINE ADMINISTERED	NAME OF STUDENT GIVEN MEDICINE	NAME & TITLE OF PERSON WHO ADMINISTERED MEDICINE	NAME OF MEDICINE	DOSAGE & TIME GIVEN

DIABETES MEDICAL MANAGEMENT PLAN

This plan was created by the personal health care team of _____. This document sets out the health services that may be needed by the student at school.

The student shall be permitted to attend to the management and care of the diabetes of the student as follows:

1. Performing blood glucose level checks;
2. Administering insulin through the insulin delivery system used by the student;
3. Treating hypoglycemia and hyperglycemia;
4. Possessing on his/her person at any time any supplies or equipment necessary to monitor and care for the diabetes of the student; and
5. Otherwise attending to the management and care of the diabetes of the student in the classroom, in any area of the school or school grounds, or at any school-related activity. A private area will be available for the student to attend to the management and care of the student's diabetes.

The school nurse or a volunteer diabetes care assistant will assist the student with the management of their diabetes care as provided in this plan. The specific person assigned to assist this student is:_____.

The parent or legal guardian has given written consent for a school nurse, a school employee trained by a health care professional, or a volunteer diabetes care assistant to provide diabetes care in accordance with state law requirements including but not limited to the administration of glucagon to a student experiencing a hypoglycemic emergency.

In addition to the above, the following shall be included as a part of the student's diabetes management plan:

_____
_____
_____
_____
_____

Agreed this ____ day of _____, 20___.

_____
Parent or Guardian of Student

_____
Principal (or designee)

_____
School Nurse

_____
Physician of Student

REFERENCE: 70 O.S. §1210.196.1, et seq.

DIABETIC STUDENT INFORMATION SHEET

Please be advised that _____ has diabetes. The parents of the student have provided the school district with written permission to provide this information to all school employees who will be responsible for providing transportation services to the student or may be required to supervise the student.

1. Emergency contact. If an emergency situation occurs, please contact _____ at _____.

2. Potential emergencies that may occur with regard to this student include:

   _____
   _____
   _____
   _____

3. This information is confidential medical information. Do not disclose this document or any medical information regarding this student to any person. Disclosure of this information shall result in disciplinary measure which could include termination of employment.

REFERENCE: **70 O.S. §1210.196.6**

HYPOGLYCEMIC EMERGENCY PROCEDURES

In the event a student is believed to be having a hypoglycemic emergency, a school employee shall contact 911 immediately. The employee will notify the parent or legal guardian of the student as soon as possible.

The school district has decided to stock glucagon to treat a student with diabetes who experiences a hypoglycemic emergency or to provide glucagon when a student's prescribed glucagon is not available on site or has expired. The Superintendent shall designate the employee who will be responsible for obtaining the glucagon at each school site. The glucagon shall be maintained on school premises in accordance with the manufacturer's instructions.

The parent or legal guardian of each student who has a diabetes management plan will be notified that the district has a school nurse, a school employee trained by a health care professional, or a volunteer diabetes care assistant who may administer, with parent or legal guardian written consent, but without a health care provider order, glucagon to a student with diabetes whom the employee in good faith believes is having a hypoglycemic emergency or if the student's prescribed glucagon is not available on site or has expired.

A waiver of liability must be executed by a parent or legal guardian and must be on file prior to the administration of glucagon. This waiver of liability is effective for the school year for which it is granted and shall be renewed each subsequent school year.

REFERENCE: 70 O.S. §1210.196.9

WAIVER OF LIABILITY FOR HYPOGLYCEMIC EMERGENCY PROCEDURES

The school district has decided to stock glucagon to treat a student with diabetes who experiences a hypoglycemic emergency or to provide glucagon when a student's prescribed glucagon is not available on site or has expired. The glucagon will be maintained in accordance with the manufacturer's instructions.

By signing this document, the parent or legal guardian of _____ is aware that the district has a school nurse, a school employee trained by a health care professional, or a volunteer diabetes care assistant who may administer glucagon when the employee in good faith believes the named student is having a hypoglycemic emergency or the student's prescribed glucagon is not available on site or has expired.

The parent or legal guardian acknowledges that the glucagon is being administered with the written consent of the parent or legal guardian, but without a health care provider order.

This parent or legal guardian hereby agrees to execute this waiver of liability to be on file prior to the administration of glucagon. This waiver of liability is effective for the school year for which it is granted and shall be renewed each subsequent school year.

Agreed this ____ day of _____, 20___.

_____

Parent or Guardian of Student

REFERENCE: 70 O.S. §1210.196.9

MEDICAL MARIJUANA

The district will not regulate or take any adverse action against an employee for holding a medical marijuana license. The school district may take action against an employee who possesses a medical marijuana license if the employee uses or possesses marijuana while at school or during the hours of employment as per 63 O.S. § 425.

Students whose medical condition requires the use of medical marijuana are allowed to access and utilize marijuana in accordance with state law. School personnel are not legally permitted to administer medical marijuana to students. The district will provide a private location for a caregiver to administer medical marijuana to students at school. Oklahoma law limits who may act as a caregiver and any caregiver will have a medical marijuana license designating them to act on behalf of a student. The caregiver is responsible for bringing the medical marijuana to the qualifying student and promptly removing the medical marijuana from the premises after consumption or use.

Upon arriving at school, the caregiver will follow district protocol with regard to check in and departure.

There will be no smoking on school premises of any substance 24/7 in accordance with the state's no smoking act. At no time will marijuana be grown or stored on school premises.

School employees will not under any circumstances:

a. Assist students in obtaining or using medical marijuana;

b. Store medical marijuana for students;

c. Take and/or use a student's medical marijuana;

d. Serve as a student's designated caregiver, unless the student is the child or in the legal custody of the employee.

The district reserves the right to discipline employees or students who fail to adhere to Oklahoma law and/or the requirements of this policy. Such disciplinary action will be addressed in accordance with the student discipline code and/or the standards of conduct for employees. Employees may be subject to termination or nonreemployment.

If a student has specific procedures regarding medical marijuana that are written into the student's Individualized Education Program (IEP) and such procedures are consistent with state and federal law, those provisions will take precedent over this policy.

ADMINISTRATION OF EMERGENCY OPIOID ANTAGONISTS

It is the policy of the Boone-Apache Board of Education, in light of the increased opioid addiction crisis nationwide, to authorize medical personnel at school to administer an opioid antagonist to any student or person they in good-faith suspect is having an opioid related drug overdose.

State law defines "medical personnel at schools" to include a certified school nurse or any other nurse employed by or under contract with a school, any licensed practitioner of the healing arts, or any person designated by the school administration to administer an opioid antagonist in the event of a suspected overdose.

The board of education hereby designates any school nurse, public health nurse, licensed practitioner of the healing arts, nurse working under contract with a school district or any person designated by the school administration to administer an emergency opioid antagonist in the event of a suspected overdose is authorized regardless of whether there is a prescription or standing order in place, to administer an emergency opioid antagonist when encountering a student or other individual exhibiting signs of an opioid overdose.

The administration of the school district may formally authorize one or more persons employed by the school to receive training offered by the Department of Mental Health and Substance Abuse Services, a law enforcement agency or any other entity in recognizing the signs of an opioid overdose and administering an emergency opioid antagonist. Persons designated to receive this training may include, but are not limited to, the certified and noncertified staff members required to receive annual training in cardiopulmonary resuscitation and the Heimlich maneuver in accordance with statute. If in-person training is not readily available in the area, the person or persons designated under this provision may access opioid antagonist training materials available online through the State Department of Health or another entity. Such training shall include information on how to recognize symptoms of an overdose, instruction in basic resuscitation techniques, instruction on proper administration of an opioid antagonist and the importance of calling 911 for help.

In the absence of the person or persons specifically designated and trained to administer an emergency opioid antagonist under the provisions of this section, the administration of a school may authorize any person to administer an emergency opioid antagonist to a student or other individual exhibiting signs of an overdose.

Any person administering an opioid antagonist to a student or other individual at a school site or school-sponsored event in a manner consistent with addressing opioid overdose shall be covered under the Good Samaritan Act. A school and any of its employees or designees shall be immune from civil liability in relation to the administration of an emergency opioid antagonist in the event of a suspected overdose.

The person(s) who has been approved by the administration of the school to administer an emergency opioid antagonist to a student suspected to be undergoing an opioid-related drug overdose, may administer the antagonist, and, as soon as practicable, shall notify first responders of the situation.

The emergency opioid antagonist supplied by the school district shall be approved by the United States Food and Drug Administration.

Each school site shall maintain a supply of opioid antagonists in a secure but unlocked and easily accessible location. The antagonists shall be maintained in quantities and types deemed adequate by the administration, in consultation with local first responders.

ADMINISTRATION OF EMERGENCY OPIOID ANTAGONISTS (Cont.)

The emergency opioid antagonists shall be accessible in the school during regular school hours and during school-sponsored functions that take place on school grounds. The board of education at its discretion, may make emergency opioid antagonists accessible during school-sponsored functions that take place off school grounds and/or on school transportation.

Each person approved to administer the emergency opioid antagonist shall be required to receive training on proper administration of the antagonist, to be chosen by the administration and paid for by the school district.

REFERENCE: **68 O.S. 1-2506.1**
70 O.S. 1210.242

SEIZURE-SAFE SCHOOLS

The district will ensure that any student who is diagnosed with a seizure disorder, will be provided with a seizure action plan that is a written, individualized health plan designed to acknowledge and prepare for the student's health care needs.

When the district has a student enrolled who has a seizure disorder and has a seizure rescue medication or other medication prescribed to treat seizure disorder symptoms which is approved by the Food and Drug Administration the requirements of the Seizure-Safe Schools Act will become applicable to the district. At that time, the district will have at least one employee at each school the child attends who has met the training requirements necessary to:

1. Administer or assist with the self-administration of a seizure rescue medication or medication prescribed to treat seizure disorder symptoms as approved by the United States Food and Drug Administration; and

2. Recognize the signs and symptoms of seizures and the appropriate steps to be taken to respond to these symptoms.

Before a seizure rescue medication can be administered to a student to treat seizure disorder symptoms, the student's parent or legal guardian shall:

1. Provide the school with written authorization to administer the medication at school;

2. Provide a written statement from the student's health care provider that will contain the following information:

    a. The student's name;
    b. The name and purpose of the medication;
    c. The prescribed dose;
    d. The route of administration;
    e. The frequency that the medication may be administered; and
    f. The circumstances under which the medication may be administered.

3. Provide the prescribed medication to the school in its unopened, sealed package with the label affixed by the dispensing pharmacy intact; and

4. Collaborate with school personnel to create a seizure action plan.

Written authorization shall be maintained in the office of the school nurse or school administration and shall be distributed to any school personnel or volunteers responsible for the supervision or care of this student. The written authorization is effective for the school year in which it is granted and may be renewed each following school year.

A school employee may not be subject to any disciplinary proceeding resulting from an action taken in compliance with the Seizure-Safe Schools Act. Any employee acting in accordance with the provisions of this act shall be immune from civil liability unless the actions of the employee rise to a level of reckless or intentional misconduct.

A school nurse shall not be responsible for and shall not be subject to disciplinary action for actions performed by a volunteer.

REFERENCE: 70 O.S. §1210.183

CONCUSSIONS AND HEAD INJURIES

The Boone-Apache Board of Education recognizes that concussions and head injuries are commonly reported injuries in contact sports.

On an annual basis, a concussion and head injury information sheet shall be completed and returned to the school district by the youth athlete and the youth athlete's parent or guardian prior to the youth athlete's participation in practice or competition. The athletic director shall provide written instructions to all coaches to ensure that no youth athletes are allowed to participate in practice or competition prior to the receipt of a concussion and head injury information sheet. Any coach or staff allowing a youth athlete to participate in practice or competition prior to the receipt of a signed concussion and head injury information sheet shall be disciplined and may be terminated from employment in the extra duty assignment.

A youth athlete who is suspected of sustaining a concussion or head injury during a practice or game shall be removed from participation at that time. Any youth athlete removed from participation shall not be allowed to participate until the athlete is evaluated by a licensed health care provider trained in the evaluation and management of concussion and receives written clearance to return to participation from that health care provider. "Return to learn" guidelines shall be provided to teachers and relevant school personnel pertaining to athletes returning to the classroom after sustaining a concussion or head injury. "Graduated return to athletic participation" guidelines shall be provided to coaches and staff members pertaining to youth athletes returning to activity after sustaining a head injury or concussion.

The school district shall impose the following minimum penalties for failing to remove an athlete from an activity:

1st offense: The coach or staff member will be required to attend additional training.

2nd offense: The coach or staff member will be suspended from the sport or activity until an appearance in front of the board of education. The appearance before the board of education may involve a determination as to whether the coach or staff member will continue employment in the extra duty assignment.

Additional free online concussion training programs are available at The Center for Disease Control at http://www.cdc.gov/HeadsUp/index.html and at the National Federation of State High School Associations at http://nfhslearn.com/?courseID=38000.

Return to learn guidelines are located at:
http://www.cdc.gov/headsup/pdfs/schools/tbi_classroom_tips_for_teachers-a.pdf

Graduated return to participation guidelines are located at:
http://www.cdc.gov/headsup/pdfs/custom/headsupconcussion_fact_sheet_for_schools.pdf

REFERENCE: 70 O.S. §24-155

POLICY NOTE: SB 1164 (2016) requires that a school policy include links to one or more online concussion training programs provided by the Center for Disease Control, the National Federation of State High School Associations or comparable programs or resources. We have linked two above in the final paragraph of this policy.

CONCUSSION AND HEAD INJURY ACKNOWLEDGEMENT AND INFORMATION SHEET

In compliance with Oklahoma Statute Section 24-155 of Title 70, this acknowledgement form is to confirm that you have read and understand the Concussion Fact Sheet provided to you by Boone-Apache School District related to potential concussions and head injuries occurring during participation in athletics.

I, _____, as a student-athlete who participates in Boone-Apache School District's athletic programs and I, _____ as the parent/legal guardian, have read the information material provided to us by Boone-Apache School District related to concussions and head injuries occurring during participation in athletic programs and understand the content and warnings.

_____

SIGNATURE OF STUDENT-ATHLETE DATE

_____

SIGNATURE OF PARENT/LEGAL GUARDIAN DATE

This form should be completed annually prior to the athlete's first practice and/or competition and be kept on file for one year beyond the date of signature in the principal's office or the office designated by the principal.

CONCUSSION/HEAD INJURY INFORMATION SHEET
STUDENT-ATHLETES

WHAT IS A CONCUSSION?

A concussion is a brain injury
Is caused by a bump or blow to the head
Can change the way your brain normally works
Can occur during practice or games in any sport
Can happen even if you have not been knocked out
Can be serious even if you have just been "dinged"

WHAT ARE THE SYMPTOMS OF A CONCUSSION?

Headache or "pressure" in head
Nausea or vomiting
Balance problems or dizziness
Sensitivity to light
Sensitivity to noise
Feeling sluggish, hazy, foggy or groggy
Concentration or memory problems
Confusion
Does not "feel right"

WHAT SHOULD I DO IF I THINK I HAVE A CONCUSSION?

Tell your coaches or parents. Never ignore a bump or blow to the head even if you feel fine. Also, tell your coach if one of your teammates may have a concussion.

Get a medical checkup. A doctor or health care professional can tell you if you have a concussion and when you are OK to return to play.

Give yourself time to get better. If you have had a concussion, your brain needs time to heal. While your brain is still healing, you are much more likely to have a second concussion. Additional concussions can cause damage to your brain. It is important to rest until you get approval from a doctor or health care professional to return to play.

HOW CAN I PREVENT A CONCUSSION?

Follow your coach's rules for safety and the rules of the sport.
Practice good sportsmanship.
Use the proper equipment, including personal protective equipment (such as helmets, padding, shin guards and eye and mouth guards----IN ORDER FOR EQUIPMENT TO PROTECT YOU, it must be the right equipment for the game, position and activity; it must be worn correctly and used every time you play.)

FOR MORE INFORMATION VISIT:

www.cdc.gov/TraumaticBraininjury/
www.oata.net
www.ossaa.com
www.nfhslearn.com

IT'S BETTER TO MISS ONE GAME THAN THE WHOLE SEASON!

CONCUSSION/HEAD INJURY FACT SHEET
PARENTS/GUARDIANS

WHAT IS A CONCUSSION?

A concussion is a brain injury. Concussions are caused by a bump or blow to the head. Even a "ding", "getting your bell rung" or what seems to be a mild bump or blow to the head can be serious. You cannot see a concussion. Signs and symptoms of a concussion can show up right after the injury or may not appear to be noticed until days or weeks after the injury. If your child reports any symptoms of a concussion or if you notice any symptoms yourself, seek medical attention right away.

WHAT ARE THE SYMPTOMS REPORTED BY ATHLETES?

Headache or "pressure" in head
Nausea or vomiting
Balance problems or dizziness
Sensitivity to light
Sensitivity to noise
Feeling sluggish, hazy, foggy or groggy
Concentration or memory problems
Confusion
Does not "feel right"

WHAT ARE THE SIGNS OBSERVED BY PARENTS/GUARDIANS?

Appears dazed or stunned
Is confused about assignment or position
Forgets an instruction
Is unsure of game, score or opponent
Moves clumsily
Answers questions slowly
Loses consciousness (even briefly)
Shows behavior or personality changes
Cannot recall events prior to hit or fall
Cannot recall events after hit or fall

HOW CAN I HELP MY CHILD PREVENT A CONCUSSION?

Ensure they follow their coach's rules for safety and the rules of the sport.
Make sure they use the proper equipment, including personal protective equipment (such as helmets, padding, shin guards and eye and mouth guards----IN ORDER FOR EQUIPMENT TO PROTECT YOU, it must be the right equipment for the game, position and activity; it must be worn correctly and used every time you play.)
Learn the signs and symptoms of a concussion.

FOR MORE INFORMATION VISIT:

- www.cdc.gov/TraumaticBraininjury/
- www.oata.net
- www.ossaa.com
- www.nfhslearn.com

IT'S BETTER TO MISS ONE GAME THAN THE WHOLE SEASON!

VISION SCREENING OF STUDENTS

During enrollment, parents or guardians of students who enroll in kindergarten, first, or third grade for the 2007-08 school year and thereafter, shall receive notification of state law via a copy of this policy regarding vision screening.

Beginning in the 2007-08 school year, the parent or guardian of each student enrolled in kindergarten, first, or third grade shall provide certification to school personnel that the student passed a vision screening within the previous twelve months or during the school year. The screening shall be conducted by personnel listed on the statewide registry maintained by the State Health Department, which may include, but not be limited to, Oklahoma licensed optometrists and ophthalmologists.

No student shall be prohibited from attending school for a parent's or guardian's failure to furnish a report of the student's vision screening.

REFERENCE: 70 O.S. § 1210.284

VEHICLE USE AND PARKING
STUDENTS

The Boone-Apache Board of Education will permit student use and parking of motor vehicles on the high school campus only. Students driving a motor vehicle to the high school campus may park the vehicle only in the parking lot designated for student parking. Students will not park vehicles in the parking lot(s) designated for staff and visitors. The vehicle will not be used during the school day. In the event of an emergency, permission may be granted for a student's use of a vehicle.

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking lots and inspections of student automobiles when on school property. The interior of student vehicles may be inspected whenever a school authority has a reasonable suspicion that illegal or unauthorized materials may be contained inside. Such patrols and inspections may be conducted without notice, without consent, and without a search warrant.

SCHOOL BUS PROGRAM

The Boone-Apache Board of Education believes that the purpose in maintaining and operating school bus transportation as a part of the general school program shall be to provide transportation to and from school for those students identified below and on such auxiliary trips as the board shall approve.

The board may provide school bus transportation to students who live outside a one and one-half mile radius of school, at any designated pick-up points, and to each child who is participating in a Head Start program. The provision of school bus transportation is not a right of students, but is a privilege extended by the board of education. Because the potential for property damage and personal injury is great, the superintendent is directed to establish rules and regulations governing the conduct of school bus passengers. Strict adherence to such rules and regulations shall be required.

REFERENCE: 70 O.S. §9-101, et seq.

REPORTING SUSPECTED CHILD ABUSE AND/OR NEGLECT

In accordance with Oklahoma law, any person is required to immediately report suspected cases of physical abuse or neglect involving students under the age of eighteen (18) to the statewide toll free hotline of the Department of Human Services and local law enforcement. The statewide DHS hotline number is 1-800-522-3511. Any person having reason to believe that a student age eighteen (18) or older is a victim of abuse or neglect shall immediately report the matter to local law enforcement. The board of education fully supports that requirement and has established this policy to facilitate such reporting.

Every teacher, support person, or other employee of this school district shall immediately report any suspected physical, mental, or sexual abuse or neglect of any school student to the Department of Human Services by telephone. The employee shall also inform the building principal who will advise the superintendent that the report was made using Form FFG-E.

"Child Abuse and Neglect" shall include, but is not limited to:

1. Child abuse as defined in Section 843.5 of Title 21 of the Oklahoma Statutes;
2. Sexual abuse or sexual exploitation as defined in Section 1-1-105 of Title 10A of the Oklahoma Statutes;
3. Contributing to the delinquency of a minor as defined in Section 856 of Title 21 of the Oklahoma Statutes;
4. Trafficking in children, as defined in Section 866 of Title 21 of the Oklahoma Statutes;
5. Incest as described in Section 885 of Title 21 of the Oklahoma Statutes;
6. Forcible sodomy, as described in Section 888 of Title 21 of the Oklahoma Statutes;
7. Maliciously, forcibly or fraudulently taking or enticing a child away, as described in Section 891 of Title 21 of the Oklahoma Statutes;
8. Soliciting or aiding a minor child to perform or showing, exhibiting, loaning or distributing obscene material or child pornography, as described in Section 1021 of Title 21 of the Oklahoma Statutes;
9. Procuring or causing the participation of any minor child in any child pornography or knowingly possessing, procuring or manufacturing child pornography, as described in Section 1021.2 of Title 21 of the Oklahoma Statutes;
10. Permitting or consenting the participation of a minor child in any child pornography, as described in Section 1021.3 of Title 21 of the Oklahoma Statutes;
11. Facilitating, encouraging, offering or soliciting sexual conduct with a minor, as described in Section 1040.13a of Title 21 of the Oklahoma Statutes;
12. Offering or offering to secure a minor child for the purposes of prostitution or any other lewd or indecent act, as described in Section 1087 of Title 21 of the Oklahoma Statutes;

REPORTING SUSPECTED CHILD ABUSE (Cont.)

13. Causing, inducing, persuading or encouraging a minor child to engage or continue to engage in prostitution, as described in Section 1088 of Title 21 of the Oklahoma Statutes;

14. Rape or rape by instrumentation, as described in Sections 1111.1 and 1114 of Title 21 of the Oklahoma Statutes; and

15. Making any oral, written or electronically or computer-generated lewd or indecent proposals to a minor child under the age of sixteen (16) as described in Section 1123 of Title 21 of the Oklahoma Statutes.

The reporting obligations under this section are individual, and no employer, supervisor or administrator of a person required to provide information pursuant to this section shall discharge, or in any manner discriminate or retaliate against, any such person who in good faith provides such child abuse reports or information, testifies, or is about to testify in any proceeding involving child abuse or neglect; provided, that such person did not perpetrate or inflict such abuse or neglect. Any such employer, supervisor, or administrator who discharges, discriminates, or retaliates against such person shall be liable for damages, costs, and attorney fees. Any person who knowingly and willfully fails to promptly report any incident of child abuse may be reported to local law enforcement for criminal investigation and, upon conviction thereof, shall be guilty of a misdemeanor. Any person who knowingly and willfully makes a false report, or makes a report that the person knows lacks factual foundation may be reported by the Department of Human Services to local law enforcement for criminal investigation and, upon conviction thereof, shall be guilty of a misdemeanor.

Any person participating in good faith and exercising due care in the making of a report or any person who, in good faith and exercising due care, allows access to a child by persons authorized to investigate a report concerning the child shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Any such participant shall have the same immunity from any liability with respect to participation in any judicial proceeding resulting from such report.

A school employee with knowledge that a report has been made shall not disclose information identifying the reporting employee unless otherwise ordered by the court or as part of an investigation by local law enforcement or the Department.

The school district shall post, in a clearly visible location in a public area of the school that is readily accessible to all students, a sign in English and Spanish that contains the toll-free number operated by the Department of Human Services.

REFERENCE: **10A O.S. § 1-2-101**
10A O.S. § 1-2-104
63 O.S. §1-120 (G)
70 O.S. §1210.162
Atty. Gen. Op. No. 78-202 (Dec. 28, 1978)

SUSPECTED CHILD ABUSE REPORT FORM

CHILD'S NAME: _____ DATE OF BIRTH: _____

ADDRESS: _____ SCHOOL: _____

PARENT(S)/LEGAL GUARDIAN: _____

ADDRESS: _____

I hereby acknowledge that I have a statutory duty to report any suspected abuse to DHS. I further understand that merely filing this report does not absolve me of my statutory duty to report this directly to DHS.

A copy of this suspected child abuse or neglect report may be filed with the Department of Human Services, the supervising administrator and the Superintendent of Schools.

Describe the nature and extent of the suspected child abuse or neglect: _____

_____

_____

Describe any evidence of previous suspected child abuse or neglect: _____

_____

Names of persons present during the interview with the child: _____

_____

Name of investigating social worker with the Department of Human Services (if known): _____

Signature of Person Filing Report: _____

STUDENT RECORDS

It is the policy of the Boone-Apache Board of Education that the principal of each school will be the legal custodian of all student records for that school.

Students and parents will have access to their school records. The school will notify parents and adult students annually of the following:

1. The type of records kept;
2. The procedure for inspecting and copying these records;
3. The right for interpretation;
4. The right to challenge data thought to be erroneous, the procedures for correcting or expunging erroneous data or inserting a rebuttal statement;
5. The right to lodge a complaint with the U.S. Department of Education if mandates are not adequately implemented.

The educational records or school records include all materials directly related to a student that a school maintains. Records and notes maintained by a teacher, administrator, school physician, or school psychologist for his or her own use, and which are not available to others are exempted from this definition.

The school will require a prior written consent before information other than directory information may be divulged to third parties. An exception to this rule exists for school district employees who have legitimate interests in viewing the records, as well as officials in other schools in which the student seeks to enroll. A school district in which a student is enrolled or is in the process of enrolling in may request the student's education records from any district in which the student was formerly enrolled to ascertain safety issues with incoming students and ensure full disclosure. The records, including the student's disciplinary records, will be forwarded to the requesting district within three (3) business days. Disciplinary records shall include but not be limited to all information that relates to a student assaulting, carrying weapons, possessing illegal drugs, including alcohol, and any incident that poses a potential dangerous threat to students or school personnel.

When schools transfer records to new educational institutions, the schools must notify parents of the transfer, and of their right to review and contest the material. An exemption exists for material under court order. Parents must be notified of such order prior to release.

The district will release individual student records from the current or previous school year to a school district where the student was previously enrolled if the release of such records is for the purposes of evaluating educational programs and school effectiveness.

The district may disclose personally identifiable information to third parties, without prior written consent, in order to conduct studies, audits, and evaluations of the educational programs of the school district. In such case, the district will take reasonable steps to ensure that all authorized representatives of the third party are FERPA compliant with the information provided for the purposes of the study, audit, or evaluation of the educational program.

The district may disclose, without the consent or knowledge of the eligible student or parent, personally identifiable information in the educational records of a student to the Attorney General of the United States or his or her designee in response to an ex parte order in connection with the investigation or prosecution of terrorism crimes. The district is not required to record such disclosure of information and is protected from liability for disclosing such information in good faith.

STUDENT RECORDS (Cont.)

The superintendent is directed to establish procedures to ensure compliance with the Family Educational Rights and Privacy Act and other applicable acts and regulations.

REFERENCE: **34 CFR 99.1**
18 USC §§2331 and 2332(g)(5)(B)
20 USC 1232
51 O.S. §24A.16
70 O.S. §6-115
70 O.S. §24.101.4
70 O.S. §24-114

COMPLIANCE WITH FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974 (REGULATION)

In accordance with the policy of the board of education, the following regulation shall govern the release of student records to students and members of the student's family, legal custodian, or legal guardian.

DEFINITIONS

For the purpose of this regulation, the school district has used the following definitions of terms:

Student

Any person who attends or has attended a program of instruction sponsored by the board of education of this school district.

Eligible Student

A student or former student who has reached age 18 or is attending a post-secondary school, and who is no longer a dependent of the parent for federal tax purposes.

Parent

Either natural parent of a student unless his or her rights under the Family Educational Rights and Privacy Act (FERPA) have been removed by a court order; an adopted parent; a guardian; or an individual acting as a parent or guardian in the absence of the student's parent or guardian.

Education Records

Any item of information or record (in handwriting, print, computer media, video or audio tape, film, microfilm, microfiche, or other medium) maintained by the school district, an employee of the district, or an agent of the district which is directly related to an identifiable student except:

1. A personal record, including informal notes, kept by a school staff member, which meets the following tests:

   A. It was made as a personal memory aid;

   B. It is in the sole possession of the individual who made it; or

   C. Information contained in it has never been revealed or made available to any other person except the maker's temporary substitute;

2. An employment record which is used only in relation to a student's employment by the school district (employment for this purpose does not include activities for which a student receives a grade or credit in a course); or

3. Alumni records that relate to the student after the student no longer attends classes provided by the school district and the records do not relate to the person as a student.

COMPLIANCE WITH FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974, REGULATION (Cont.)

Personal Identifier

Any data or information that makes the subject of a record known. This includes the student's name, the student's parents or other family member's name, the student's address, the student's social security number, a student number, a list of personal characteristics, or any other information that would make the student's identity known.

ANNUAL NOTIFICATION

Within the first three weeks of each school year, the school district will publish a notice to parents and eligible students of their rights under the FERPA and this policy. The district will also send home with each student a bulletin listing these rights and the bulletin will be included with a packet of material provided parents or an eligible student when the student enrolls during the school year.

The notice will include the following:

1. The right of a student's parent or eligible student to inspect and review the student's education records;

2. The intent of the school district is to limit the disclosure of information contained in a student's education records except: (1) by the prior written consent of the student's parent or the eligible student, (2) as directory information, or (3) under certain limited circumstances, as permitted by the FERPA;

3. The right of a student's parent or an eligible student to seek to correct parts of the student's education records which he or she believes to be inaccurate, misleading, or in violation of student rights (this right includes the right to a hearing to present evidence that the record should be changed if the district decides not to alter it according to the parent's or eligible student's request and the right to insert in the student's permanent records an explanatory statement giving reasons for disagreeing with the decision);

4. The right of any person to file a complaint with the Department of Education if the school district violates the FERPA; and

5. The procedure that a student's parent or an eligible student should follow to obtain copies of this policy and the locations where copies may be obtained.

The district will arrange to provide translations of this notice to non-English speaking parents in their native language.

STATEMENT OF RIGHTS

Parents and eligible students have the following rights under the Family Educational Rights and Privacy Act and this policy:

1. The right to inspect and review the student's education record;

COMPLIANCE WITH FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974, REGULATION (Cont.)

2. The right to exercise a limited control over other people's access to the student's education record;
3. The right to seek to correct the student's education record, in a hearing, if necessary;
4. The right to report violations of the FERPA to the Department of Education; and
5. The right to be informed about FERPA rights.

All rights and protections given parents under the FERPA and this policy transfer to the student when the student reaches 18 or enrolls in a post-secondary school.

LOCATIONS OF EDUCATION RECORDS

TYPES	LOCATION	CUSTODIAN
Cumulative School Records	_____	_____
Cumulative School Records (Former Students)	_____	_____
Health Records	_____	_____
School Transportation Records	_____	_____
Speech Therapy Records	_____	_____
Psychological Records	_____	_____

PROCEDURE TO INSPECT EDUCATION RECORDS

The parent of a student or an eligible student may inspect the student's education records upon request. In some circumstances, it may be mutually more convenient for the record custodian to provide copies of records. See the schedule of fees for copies below.

Since a student's records may be maintained in several locations, the school principals will offer to collect copies of records or the records themselves from locations other than a student's school, so they may be inspected at one site. However, if a parent or eligible student wishes to inspect records where they are maintained, school principals will make every effort to accommodate the wishes.

COMPLIANCE WITH FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974, REGULATION (Cont.)

The parent or eligible student should submit to the student's school principal a written request that identifies, as precisely as possible, the record or records he or she wishes to inspect.

The principal (or other record custodian) will contact the parent of the student or the eligible student to discuss how access will be best arranged (copies, at the exact location, or records brought to a single site).

The principal (or other record custodian) will make the needed arrangements as promptly as possible and notify the parent or eligible student of the time and place where the records may be inspected. This procedure must be completed in 45 days or less from the receipt of the request for access.

If for any valid reason, such as working hours, distance between record location sites, or health, a parent or eligible student cannot personally inspect and review a student's education record, the school district will arrange for the parent or eligible student to obtain copies of the record. See below for information regarding fees for copies of records.

When a record contains information about students other than a parent's child or the eligible student, the parent or eligible student may not inspect and review the records of the other students.

FEES FOR COPIES OF RECORDS

The school district will not deny parents or eligible students any rights to copies of records because of the following published fees. Where the fee represents an unusual hardship, it may be waived in part, or in whole, by the record custodian. However, the district reserves the right to charge for copies, such as transcripts, it forwards to potential employers or to colleges and universities for employment or admission purposes. The school district may deny copies of records to third parties (not parents or students) in the following situations:

1. The student has an unpaid financial obligation to the school.

2. There is an unresolved disciplinary action against the student that warrants the denial of copies.

The FERPA requires the school district to provide copies of records:

1. When the refusal to provide copies effectively denies access to the records by a parent or eligible student;

2. At the request of the parent or eligible students when the school district has provided the records to third parties by the prior consent of the parent or eligible student; or

3. At the request of the parent or eligible student when the school district has forwarded the records to another school where the student seeks or intends to enroll.

The fee for copies provided under the FERPA may not include the costs for search and retrieval. The fee will be from no cost to ten cents per page. (Actual copying cost, less hardship factor.)

COMPLIANCE WITH FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974, REGULATION (Cont.)

The fee for all other copies, such as copies of records forwarded to third parties with prior consent or those provided to parents as a convenience, will be from ten cents to thirty-five cents per page (actual search, retrieval, and copying cost) plus postage, if incurred.

DIRECTORY INFORMATION

The school district proposes to designate the following personally identifiable information contained in a student's education record as "directory information":

1. The student's name;
2. The student's class designation (i.e., first grade, tenth grade, etc.);
3. The student's extracurricular participation;
4. The student's achievement awards or honors;
5. The student's weight and height if a member of an athletic team;
6. The student's photograph.

(NOTE: A district may designate all, some, or none of this information as directory information.)

Within the first three weeks of each school year, the school district will publish the above list, or a revised list, of items of directory information it proposes to designate as directory information. For students enrolling after the notice is published, the list will be given to the student's parent or the eligible student at the time and place of enrollment.

After the parent or eligible student has been notified, he or she will have two weeks to advise the school district in writing (a letter to the school superintendent's office) of any or all of the items they refuse to permit the district to designate as directory information about the student.

At the end of the two-week period, each student's record will be appropriately marked by the record custodian to indicate the items the district will designate as directory information about the student. This designation will remain in effect until it is modified by the written direction of the student's parent or the eligible student.

COMPLIANCE WITH FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974, REGULATION (Cont.)

USE OF STUDENT EDUCATION RECORDS

To carry out their responsibilities, school officials will have access to student education records for legitimate educational purposes. The school district will use the following criteria to determine who are school officials. An official is:

1. A person duly elected to the school board;
2. A person certified by the state and appointed by the school board to an administrative or supervisory position;
3. A person certified by the state and under contract to the school board as an instructor;
4. A person employed by the school board as a temporary substitute for administrative, supervisory, or instructional personnel for the period of his or her performance as a substitute; or
5. A person employed by, or under contract to, the school board to perform a special task such as a secretary, a clerk, the school board attorney or auditor, for the period of his or her performance as an employee or contractor.

School officials who meet the criteria listed above will have access to a student's records if they have a legitimate educational interest in doing so. A "legitimate educational interest" is the person's need to know in order to:

1. Perform an administrative task required in the school employee's position description approved by the school board;
2. Perform a supervisory or instructional task directly related to the student's education; or
3. Perform a service or benefit for the student or the student's family such as health care, counseling, student job placement, or student financial aid.

The school district will only release information from, or permit access to, a student's education record with a parent's or eligible student's prior written consent except that the school superintendent, or a person designated in writing by the superintendent, may permit disclosure:

1. When a student seeks or intends to enroll in another school district or a post-secondary school (the district will not further notify the parent or eligible student prior to such a transfer of records; the parent or eligible student has a right to obtain copies of records transferred under this provision);

COMPLIANCE WITH FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974, REGULATION (Cont.)

2. When certain federal and state officials need information in order to audit or enforce legal conditions related to federally supported education programs in the district;

3. The parties who provide or may provide financial aid to a student to:

   A. Establish the student's eligibility for the aid,

   B. Determine the amount of financial aid,

   C. Establish the conditions for the receipt of the financial aid, or

   D. Enforce the agreement between the provider and the receiver of financial aid;

4. When the school district has entered into a written agreement or contract for an organization to conduct studies on the school district's behalf to develop tests, administer student aid, or improve instruction;

5. To accrediting organizations to carry out their accrediting functions;

6. To comply with a judicial order or lawfully issued subpoena (the district will make a reasonable effort to notify the student's parent or the eligible student before making a disclosure under this provision);

7. If the disclosure is an item of directory information, and the student's parent or eligible student has not refused to allow the district to designate that item as directory information for the student; or

8. In response to an ex parte order of the Attorney General of the United States or his/her designee in connection with the investigation or prosecution of terrorism crimes.

The school district will permit any of its officials to make the needed disclosure from student education records in a health or safety emergency if:

1. He or she deems it is warranted by the seriousness of the threat to the health or safety of the student or other persons;

2. The information is necessary and needed to meet the emergency;

3. The persons to whom the information is to be disclosed are qualified and in a position to deal with the emergency; or

4. Time is an important and limiting factor in dealing with the emergency.

COMPLIANCE WITH FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974, REGULATION (Cont.)

The school district officials may release information from a student's education record if the student's parent or the eligible student gives prior written consent for disclosure. The written consent must include at least:

1. A specification of the records to be released;
2. The reasons for the disclosure;
3. The person, organization, or the class or organizations to whom the disclosure is to be made;
4. The parent's or eligible student's signature; and
5. The date of the consent and, if appropriate, a date when the consent is to be terminated.

The student's parent or the eligible student may obtain a copy of any records disclosed under this provision.

The school district will not release information contained in a student's education records, except directory information, to any third parties except its own officials, unless those parties agree that the information will not be redisclosed without the parent's or eligible student's prior written consent.

RECORDS OF REQUESTS FOR ACCESS AND DISCLOSURES MADE FROM EDUCATION RECORDS

The school district will maintain an accurate record of all requests for it to disclose information from, or to permit access to, a student's education records and of information it discloses and access it permits with some exceptions listed below. This record will be kept with, but will not be a part of, the student's cumulative school records. It will be available only to the record custodian, the eligible student, the parent of the student, or to federal, state, and local officials for the purpose of auditing or enforcing federally supported educational programs.

The record will include at least:

1. The name of the person or agency that made the request;
2. The interest the person or agency had in the information;
3. The date the person or agency made the request; and
4. Whether the request was granted and, if it was, the date access was permitted or the disclosure was made.

The district will maintain this record as long as it maintains the student's education record.

COMPLIANCE WITH FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974, REGULATION (Cont.)

The record will not include:

1. Requests for access or access granted to the parent of the student or to an eligible student;
2. Request for access granted to officials of the school district who have a legitimate educational interest in the student;
3. Requests for, or disclosures of, information contained in the student's education record if the request is accompanied by the prior written consent of a parent of the student or the eligible student or if the disclosure is authorized by such prior consent;
4. Requests for, or disclosure of, directory information designated for that student; or for
5. Requests for, or disclosure of, information contained in the student's education record if the request is in response to an ex parte order of the Attorney General of the United States or his/her designee in connection with the investigation or prosecution of terrorism crimes.

PROCEDURES TO SEEK TO CORRECT EDUCATION RECORDS

The parent of a student or an eligible student has a right to seek to change any part of the student's record believed to be inaccurate, misleading, or in violation of student rights. (NOTE: under the FERPA, the district may decline to consider a request to change the grade a teacher assigns for a course.)

For the purpose of outlining the procedure to seek to correct education records, the term "incorrect" will be used to describe a record that is inaccurate, misleading, or in violation of student rights. The term "correct" will be used to describe a record that is accurate, not misleading, and not in violation of student rights. Also, in this section, the term "requester" will be used to describe the parent of a student or the eligible student who is asking the school district to correct a record.

To establish an orderly process to review and correct an education record for a requester, the district may make a decision to comply with the request for change at several levels in the procedure.

First Level Decision

When a parent of a student or an eligible student finds an item in the student's education record that he or she believes is inaccurate, misleading, or in violation of student rights, he or she should immediately ask the record custodian to correct it. If the record is incorrect because of an obvious error and it is a simple matter to make the record change at this level, the record custodian will make the correction. However, if the record is changed at this level, the method and result must satisfy the requester.

COMPLIANCE WITH FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974, REGULATION (Cont.)

If the record custodian cannot change the record to the requester's satisfaction, or if the record does not appear to be obviously incorrect, the record custodian will:

1. Provide the requester a copy of the questioned record at no cost;
2. Ask the requester to initiate a written request for the change; and
3. Follow the procedure for a second level decision.

Second Level Decision

The written request to correct a student's education record through the procedure at this level should specify the correction the requester wishes the district to make. It should at least identify the item the requester believes is incorrect and state whether he or she believes the item:

1. Is inaccurate and why;
2. Is misleading and why; and/or
3. Violates student rights and why.

The request will be dated and signed by the requester.

Within two weeks after the record custodian receives a written request, he or she will: study the request, discuss it with other school officials (the person who made the record or those who may have a professional concern about the district's response to the request), make a decision to comply or decline to comply with the request, and complete the appropriate steps to notify the requester or move the request to the next level for a decision.

If, as a result of this review and discussion, the record custodian decides the record should be corrected, he or she will effect the change and notify the requester in writing that the change has been made. Each such notice will include an invitation for the requester to inspect and review the student's education record to make certain the record is in order and the correction is satisfactory.

If the record custodian decides the record is correct, he or she will make a written summary of any discussions with other officials and of the findings in the matter. The record custodian will transmit this summary and a copy of the written request to the school superintendent.

Third Level Decision

The school superintendent will review the material provided by the record custodian and, if necessary, discuss the matter with other officials such as the school attorney, or the school board (in executive session). The superintendent will then make a decision concerning the request and complete the steps at this decision level.

COMPLIANCE WITH FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974, REGULATION (Cont.)

Ordinarily, this level of the procedure should be completed within two weeks. If it takes longer, the superintendent will notify the requester, in writing, of the reasons for the delay and a date when the decision will be made.

If the superintendent decides the record is incorrect and should be changed, he or she will advise the record custodian to make the changes. The record custodian will advise the requester of the change as at the second level.

If the superintendent decides the record is correct, he or she will prepare a letter to the requester, which will include:

1. The school district's decision that the record is correct and the basis for the decision;

2. A notice to the requester that he or she has a right to ask for a hearing to present evidence that the record is incorrect and that the district will grant such a hearing;

3. Instructions for the requester to contact the superintendent, or an official he or she designates, to discuss acceptable hearing officers, convenient times, and a satisfactory site for the hearing (the district will not be bound by the requester's positions on these items, but will, so far as possible, arrange the hearing as the requester wishes); and

4. Advise that the request may be represented or assisted in the hearing by other parties, including an attorney at the requester's expense.

Fourth Level Decision

After the requester has submitted (orally, or in writing) his or her wishes concerning the hearing officer and the time and place for the hearing, the superintendent will, within a week, notify the requester when and where the district will hold the hearing and who it has designated as the hearing officer.
At the hearing, the hearing officer will provide the requester a full and reasonable opportunity to present material evidence and testimony to demonstrate that the questioned part of the student's education record is incorrect as shown in the requester's written request for a change in the record (second level).

Within a week after the hearing, the hearing officer will submit to the school superintendent a written summary of the evidence submitted at the hearing. Along with the summary, the hearing officer will submit his or her recommendation, based solely on the evidence presented at the hearing, that the record should be changed or remain unchanged.

The school superintendent will prepare the district's decision within two weeks of the hearing. The decision will be based on the summary of the evidence presented at the hearing and the hearing officer's recommendation. However, the district's decision will be based solely on the evidence presented at the hearing. Therefore, the superintendent may overrule the hearing officer if the superintendent believes the hearing officer's recommendation is not consistent with the evidence presented. As a result of the district's decision, the superintendent will take one of the following actions:

COMPLIANCE WITH FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974, REGULATION (Cont.)

1. If the decision is that the district will change the record, the superintendent will instruct the record custodian to correct the record. The record custodian will correct the record and notify the requester as at the second level decision.

2. If the decision is that the district will not change the record, the superintendent will prepare a written notice to the requester that will include:

   A. The school district's decision that the record is correct and will not be changed;

   B. A copy of a summary of the evidence presented at the hearing and a written statement of the reasons for the district's decision; and

   C. Advice to the requester that he or she may place in the student's education record an explanatory statement which gives the reasons he or she disagrees with the school district's decision and/or the reasons he or she believes the record is incorrect.

TRANSFER AND RELEASE OF CONFIDENTIAL INFORMATION

It is the policy of the Boone-Apache Board of Education to adhere strictly to Oklahoma and Federal law concerning the transfer and release of confidential information including student records.

For the purposes of this policy, "confidential information" means any information regarding a child receiving services supported in whole or in part by state or federal funds, a family member of such child, or other persons residing in the home of such child, and which is required by state or federal law or regulation to be maintained in a confidential manner.

The school district will transfer and release confidential information in accordance with this policy to:

(1) The Department of Human Services,

(2) The Department of Mental Health and Substance Abuse Services,

(3) The State Department of Health,

(4) The State Department of Education,

(5) The State Department of Career and Technology Education,

(6) The Oklahoma Commission on Children and Youth,

(7) The J.D. McCarty Center for Handicapped Children,

(8) The Department of Corrections,

(9) Private agencies receiving public funds pursuant to a grant or contract with one of the agencies listed in (1) through (8) and providing institutional, community residential or community-based services as defined by Title 10, Section 7001-1.3 of the Oklahoma Statutes, to children and family,

(10) Persons and agencies subject to the rules promulgated by the agencies listed in (1) through (8),

(11) Statutorily-constituted juvenile bureaus, and

(12) Other school districts upon their request and in compliance with state law.

Unless otherwise permitted by state or federal law or regulation, confidential information will only be released to the above-described entities pursuant to (1) a court order or (2) an informed consent that has been executed by (a) the parent or guardian of the child or other person authorized by state or federal law to execute such consent, if the subject of the confidential information is a child or (b) the individual who was the subject of the confidential information or other person authorized by law to execute such consent on his or her behalf, if the subject of the confidential information is an adult. A copy of the school district's informed consent form may be found at FLE-E1.

TRANSFER AND RELEASE OF CONFIDENTIAL INFORMATION (Cont.)

The school district will follow the rules promulgated by the State Department of Education for authorizing access to and the transfer or release of confidential information for the purpose of gathering statistical information or conducting studies or research otherwise authorized by law.

The school district shall charge $.10 per page for all copies made pursuant to this policy plus the actual cost of mailing the copies.

REFERENCE: **10 O.S. §620.1, et seq.**
10 O.S. §7001-1.3
70 O.S. §24-101.4

THIS POLICY REQUIRED BY LAW.

INFORMATION COORDINATOR

The school district has designated a representative to coordinate requests for information from the Oklahoma State Bureau of Investigations when the release of such information has been authorized by a parent, legal guardian of the student, or by court order. Information regarding past and present students in the district may be released to law enforcement officers subject to court order or by parental consent.

Such information includes but is not limited to:

1. Student's name, address, telephone listing, and date and place of birth;
2. Parent or lawful custodian's name, address, and telephone listing;
3. Major field of study and grade level classification (example: elementary, 7th grade, sophomore);
4. Student's participation in officially recognized activities and sports;
5. Weight and height of members of athletic teams;
6. Dates of attendance, dates of enrollment, withdrawal, re-entry;
7. Diplomas, certificates, awards, and honors received;
8. Most recent previous educational agency or institution attended by the student;

REFERENCE: 70 O.S. §10-103.2
34 CFR 99.1
20 USC 1232

THIS POLICY REQUIRED BY LAW.

STUDENT ACTIVITIES
SCHOLASTIC ELIGIBILITY

It is the policy of the Boone-Apache Board of Education that only those students who are fully eligible scholastically will be permitted to represent the school in any capacity. Teachers will submit eligibility lists to the office each Friday. If a student is failing in more than one core subject, the student may not participate in any school activity during the following week. The board declares its intent to rigorously adhere to the eligibility rules of the Oklahoma Secondary School Activities Association. The superintendent is directed to establish a regulation governing eligibility. Such regulation, when approved by the board, shall be incorporated into this policy and become a part thereof.

NOTE: ***In compliance with the Family Education Rights and Privacy Act, under no circumstances should student eligibility or ineligibility lists be publicly posted in any manner.***

EXTRACURRICULAR ACTIVITIES (REGULATION)

In accordance with the policy of the board of education, these regulations shall govern extracurricular activities in the public schools:

Anyone owing fines or fees shall not be allowed to participate in the true extracurricular component of the activity until such time as payments are made. An extracurricular activity is defined as any activity sponsored by the school and at the convenience of the school that causes students to be absent from curricular class periods.

The following are considered extracurricular activities:

1. Student government and its related activities and organization.
2. Musical festivals or contests, speech contests, debates, dramatics contests.
3. Organized activities that are part of interscholastic athletics.
4. Organized activities that are part of intramural athletics.
5. All types of interscholastic competition.
6. Special interest clubs.

In an effort to provide a reasonably safe and educationally sound extracurricular activities program, the following guidelines shall be observed:

1. All activities must be scheduled through the principal's office and placed on the calendar in the building's office. The calendar will reflect the time, place, and time of departure.
2. Students may not ride in private vehicles to or from any extracurricular activity without prior written consent of the requesting student's parent or guardian and consent of the activity's sponsor.
3. Evidence of insurance shall be required for each student who participates in an extracurricular activity.
4. All extracurricular activities shall operate within the rules and guidelines of the Oklahoma State Department of Education and the Oklahoma Secondary School Activities Association.

While all students are encouraged to participate in extracurricular activities, the following requirements must be met:

1. The student must maintain a C average in all subjects in which enrolled.
2. The student must meet the school's attendance policy.
3. The student must be in good standing within the rules of the activity.

EXTRACURRICULAR ACTIVITIES PARTICIPATION REQUIREMENTS (REGULATION)

Absences

1. All students who are members of school activity groups, including 4-H are limited to ten absences per year per class period. Any deviation from the ten days absence rule shall not exceed five days.

2. It is the responsibility of the student to plan and be responsible for these absences. The student should check with sponsors at the beginning of the school year to aid in selection of events that the student may wish to attend.

3. The principal will keep or cause to be kept a record of those days or class periods missed due to school activities. These records will be open for inspection by the student, parent or guardian of the student, sponsors, and other teachers daily to aid the student in planning absences throughout the year.

4. Any absence over the maximum of ten without the written permission of the Internal Activities Review Committee shall be counted as an unexcused absence in accordance with local board policy.

Sponsor/Teacher Responsibilities

1. It is the responsibility of the sponsor/teacher to prepare a list of activities that the student may attend during the school year and advise students of this list. These activities should be prepared and given to the principal at the beginning (or as soon as possible) of the school year.

2. The sponsor/teacher should help the student select only those activities that will be of benefit to the student and/or the school.

3. Sponsor/teacher should check activity absentee list regularly in order to help students plan for future absences.

4. Sponsor/teacher should strive not to be absent from any class period more than ten times due to attendance at activities.

Criteria for Earning the Right to Represent the School in Activities or Contests Beyond Ten Days

1. Athletics - Guidelines as set forth by Oklahoma Secondary School Activities Association for participation beyond district competition.

2. Fine Arts (Vocal, Instrumental, Speech, Drama & Debate) Guidelines as set forth by Oklahoma Secondary School Activities Association for participation beyond district competition.

3. Vocational and 4-H:

   A. Stock Shows - In qualifying to attend state and national shows, the student must meet the following criteria:

      1. Own animal to be shown no less than 60 days prior to competition.

EXTRACURRICULAR ACTIVITIES, PARTICIPATION REQUIREMENTS, REGULATION (Cont.)

2. Must show in local or county show to qualify for district.

3. Must rank in top seven in a class at district to qualify for state show (Oklahoma City/Tulsa).

4. Student and/or animal must rank in top ten in class at state to qualify for a national show.

Absences due to attendance at state or national stock shows that do not meet the above criteria are chargeable to the ten activity absences.

B. Speech Contests:

1. Contestant must have participated in a chapter contest and placed in the top two in the specific speech area.

2. Participant must place in the top two in the professional improvement speech contest before being eligible to go to district contest and top two in order to qualify for state.

3. To qualify for state speech contests during state fairs, a student must have placed in the top two in a speech contest of a county level or better the previous year. If a first year student wishes to participate in a state fair contest, the student must challenge other members of local chapters and it will be the responsibility of the local chapter advisor to set up a chapter run-off with qualified judges determining who shall represent the local chapter in state fair contests.

C. Judging Contests:

1. Students must participate in at least five chapter judging workouts before contest and be selected as member of team.

2. Student must have participated in a minimum of two contests that did not require school time before participation in a contest that requires school time (summer field-days, Saturday contest, etc.).

3. Team winning state contest will represent Oklahoma in national contest.

D. State and National Conventions and Conferences:

Students eligible to attend shall be officers or elected delegates as specified by chapter regulations.

EXTRACURRICULAR ACTIVITIES
EMERGENCY MEDICAL SERVICES

The Boone-Apache Board of Education and (insert name of local emergency medical services provider that serves the area the school district is located within) have developed and prepared a plan for the provision of emergency medical services at athletic events or activities held at school district facilities. The plan shall be reviewed and updated annually as appropriate. The plan shall be on file in the central office of the school district and with the emergency medical provider.

1. Maps and directions with appropriate contact information for emergency management services;
2. An assigned medical administrator who is a current school employee such as a coach, administrator or athletic director;
3. Defined responsibilities and designated personnel on-site which includes medical and school officials; and
4. A listing of medical equipment available and the location of the nearest automated external defibrillator if one is available.

The Emergency Action Plan will be posted in each facility and distributed to all school officials involved in athletic practices, events or activities held at school district facilities. Prior to each athletic event or activity where there are athletes participating from visiting schools, the Emergency Action Plan is required to be digitally transmitted to the visiting school administrator or coach or it may be posted on the school district's website.

The plan is to be reviewed, updated, and rehearsed annually with school officials and local emergency medical service providers and should be on file with the school district and with emergency management officials. The Emergency Management Plan will need to be updated to reflect any potential significant changes that would affect implementation of the plan.

LEGAL REFERENCE: 70 O.S. § 27-104

EMERGENCY ACTION PLAN

THIS PLAN IS POSTED ON THE SCHOOL WEBSITE AND AT EACH FACILITY
THIS TEMPLATE SHOULD BE CUSTOMIZED INTO A SEPARATE PLAN FOR EACH FACILITY/ACTIVITY

Activity: _____ School Year: _____

1. _____ shall be designated as the medical administrator. This individual is a current school employee and shall have a charged cell phone present and available for use at all times. The cell phone number of the medical administrator is _____.

    a. The medical administrator shall be assisted by _____(name and cell phone number) and _____(name and cell phone number).

    b. A map of the facility and directions to the facility are attached to this document.

    c. The medical administrator shall maintain a binder which contains emergency contact information for all students who are participating in the practice, event or activity. This binder should be readily available at the facility.

2. First Aid shall be provided immediately by those school personnel in the vicinity of the injury. The medical administrator shall be notified as soon as possible as to the location of the injured party. First Aid shall be continuously provided until Emergency Medical Services Personnel arrive and assist the injured party.

    a. Medical equipment is readily available in the _____ room of facility. The medical equipment available includes, but is not limited to: (insert listing of basic medical equipment that is located on site at the facility).

    b. The nearest automated external defibrillator is located at _____. (if one is not available replace this with "An automated external defibrillator is not available on site").

3. Emergency Medical Services shall be contacted by calling _____.

    a. Will inform dispatcher of:

        i. The nature of the injury and the age of the injured party.

        ii. The location of the injured party and directions to the site.

        iii. Shall not hang up until advised to do so by the dispatcher.

4. Emergency Medical Services Ambulance Entrance:
(include location where ambulance should park/drive for this particular activity. Include locations for field if this is a sport, stands if this is a fan, and parking lot if an issue occurs in an area near a parking lot. So multiple directions can be included/inserted in this portion).

5. The medical administrator, or their designee, shall meet the EMS and will be responsible for contacting school employees to ensure that access will be available for the ambulance. The medical administrator or their designee shall lead the ambulance to the injured party's location.

EMERGENCY ACTION PLAN (Cont.)

6. The medical administrator shall be responsible for designating an individual to ride with a minor student should the parent or legal guardian not be present at the time the injury occurs. This individual shall cooperate with all requirements and directives given by Emergency Management Services personnel and shall not interfere with treatment provided to the injured party.

7. The medical administrator shall be responsible for notifying the injured party's emergency contact.

8. After the injured party's emergency contact has been notified, the medical administrator shall notify the school district administration and/or superintendent of the incident.

9. The medical administrator shall prepare a written summary of the events and circumstances. A review of the incident shall occur which identifies areas wherein improvement or modification to this Emergency Medical Plan may need to occur.

Important Contact Numbers: Insert a listing of the contact information for those who will be assisting with the event or activity. This will need to be different for each facility and should reflect the coaches or sponsors of the activities/events involved.

This template can be utilized to create multiple emergency plans that customized for each sport, activity group or event.

EVALUATION OF EMERGENCY ACTION PLAN

On the _____ day of _____, 20__ an incident occurred as follows:

As the medical administrator for this event, I have visited with each school employee as well as emergency medical services to determine what could have been done differently. We believe that the district's emergency action plan should be modified or amended to include:

Dated this ____ day of _____, 20_____.

_____
Medical Administrator

STUDENT CLUBS AND ORGANIZATIONS SPONSORS

The Boone-Apache Board of Education believes that certain extracurricular and social activities can enhance the learning environment of our schools. The board of education shall annually notify parents or guardians of students about clubs and organizations sponsored by or under the direct control and supervision of the school district. The annual notification shall be placed in the student handbook and by posting information on the school district's Internet website. The annual notification shall include, but is not limited to, the following information about each club or organization:

1. Name;
2. Mission or purpose; and
3. Name of the faculty advisor, if known.

Parents or guardians of students will notify the school administration that they are withholding permission for their child(ren) to join or participate in one or more clubs or organizations. Parents or guardians shall be responsible for preventing their child from participating in a club or organization in which permission is withheld. Parents or guardians are also responsible for retrieving their child(ren) from attendance at a club or organization in which participation is withheld.

If clubs or organizations are created or formed after the annual notification is distributed, the school district shall send additional notification to the parents or guardians containing the above-listed information regarding the additional clubs or organizations by way of a message added to the school district's website.

LEGAL REFERENCE: 70 O.S. § 24-105

A POLICY ON THIS ISSUE IS REQUIRED BY LAW

STUDENT CONDUCT

The Boone-Apache Board of Education believes that an important responsibility of any school system is to teach acceptable social conduct. We believe that such conduct may be taught by example and by providing appropriate incentives. The board also believes that reasonable standards of conduct are to be established and that adherence to those standards insisted upon. The board, therefore, directs the superintendent to establish a regulation, subject to board approval, of student conduct.

HAZING

It is the policy of this school district that no student or employee of the district shall participate in or be members of any secret fraternity or secret organization that is in any degree related to the school or to a school activity. No student organization or any person associated with any organization sanctioned or authorized by the board of education shall engage or participate in hazing.

For the purposes of this policy, hazing is defined as an activity that recklessly or intentionally endangers the mental health or physical health or safety of a student for the purpose of initiation or admission into or affiliation with any organization sanctioned or authorized by the board of education.

"Endanger the physical health" shall include, but is not limited to, any brutality of a physical nature, such as whipping; beating; branding; forced calisthenics; exposure to the elements; forced consumption of any food, alcoholic beverage, drug, or controlled dangerous substance; or other forced physical activity which could adversely affect the physical health or safety of the individual.

"Endanger the mental health" shall include any activity, except those activities authorized by law, which would subject the individual to extreme mental stress, such as prolonged sleep deprivation, forced prolonged exclusion from social contact, forced conduct which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual.

Any hazing activity upon which the initiation or admission into or affiliation with an organization sanctioned or authorized by the board of education is conditioned, directly or indirectly, shall be presumed to be a forced activity, even if the student willingly participates in such activity.

This policy is not intended to deprive school district authorities from taking necessary and appropriate disciplinary action toward any student or employee. Students or employees who violate this policy will be subject to disciplinary action that may include suspension for students and employment termination for employees.

A copy of this policy will be furnished to each student and teacher in this school district.

REFERENCE: 21 O.S. §1190

THIS POLICY REQUIRED BY LAW.

BULLYING

It is the policy of this school district that bullying of students by other students, personnel, or the public will not be tolerated. Students are expected to be civil, polite, and fully engaged in the learning process. Students who act inappropriately are not fully engaged in the learning process. This policy is in effect while the students are on school grounds, in school vehicles, at designated bus stops, at school-sponsored activities, or at school-sanctioned events, and while away from school grounds if the misconduct directly affects the good order, efficient management, and welfare of the school district. Bullying of students by electronic communication is prohibited whether or not such communication originated at school or with school equipment, if the communication is specifically directed at students or school personnel and concerns harassment, intimidation, or bullying at school. The school district is not required to provide educational services in the regular school setting to any student who has been removed from a public school or private school in Oklahoma or another state by administrative or judicial process for an act of using electronic communication with the intent to terrify, intimidate or harass, or threaten to inflict injury or physical harm to faculty or students.

As used in the School Safety and Bullying Prevention Act, "bullying" means any pattern of harassment, intimidation, threatening behavior, physical acts, verbal or electronic communication directed toward a student or group of students that results in or is reasonably perceived as being done with the intent to cause negative educational or physical results for the targeted individual or group and is communicated in such a way as to disrupt or interfere with the school's educational mission or the education of any student. Such behavior is specifically prohibited.

In administering discipline, consideration will be given to alternative methods of punishment to insure that the most effective discipline is administered in each case. In all disciplinary action, teachers and administrators will be mindful of the fact that they are dealing with individual personalities. The faculty may consider consultation with parents to determine the most effective disciplinary measure.

In considering alternatives of corrective actions, the faculty/administration of the school district will consider those listed below. However, the school is not limited to these alternative methods, nor does this list reflect an order or sequence of events to follow in disciplinary actions. The board of education will rely upon the judgment and discretion of the administrator to determine the appropriate remedial or corrective action in each instance.

1. Conference with student
2. Conference with parents
3. In-school suspension
4. Detention
5. Referral to counselor
6. Behavioral contract
7. Changing student's seat assignment or class assignment
8. Requiring a student to make financial restitution for damaged property
9. Requiring a student to clean or straighten items or facilities damaged by the student's behavior
10. Restriction of privileges
11. Involvement of local authorities
12. Referring student to appropriate social agency or to a delinquency prevention and diversion program administrated by the office of Juvenile Affairs
13. Suspension
14. Performing Campus-site services for the school district
15. Other appropriate disciplinary action as required and as indicated by the circumstances which may include, but is not limited to, removal from eligibility to participate or attend extracurricular activities as well as removal from the privilege of attending or participating in the graduation ceremony, school dances, prom, prom activities, and/or class trips.

HARASSMENT (Cont.)

Harassment set forth above may include, but is not limited to, the following:

1. Verbal, physical, or written harassment or abuse;
2. Repeated remarks of a demeaning nature;
3. Implied or explicit threats concerning one's grades, achievements, etc.;
4. Demeaning jokes, stories, or activities directed at the student;
5. Unwelcome physical contact.

The superintendent shall develop procedures providing for:

1. Prompt investigation of allegations of harassment;
2. The expeditious correction of the conditions causing such harassment;
3. Establishment of adequate measures to provide confidentiality in the complaint process;
4. Initiation of appropriate corrective actions;
5. Identification and enactment of methods to prevent reoccurrence of the harassment; and
6. A process where the provisions of this policy are disseminated in writing annually to all staff and students.

A copy of this policy will be furnished to each student and teacher in this school district.

REFERENCE: 21 O.S. §850.0
70 O.S. §24-100.2

THIS POLICY REQUIRED BY LAW.

PROHIBITING BULLYING (REGULATION)

The Boone-Apache Public Schools' student conduct code prohibits bullying. This regulation further explains the negative effects of that behavior and seeks to promote strategies for prevention.

Statement of Board Purpose in Adopting Policy

The board of education recognizes that bullying of students causes serious educational and personal problems, both for the student-victim and the initiator of the bullying. The board observes that this conduct:

1. Has been shown by national and state studies to have a substantial adverse effect upon school district operations, the safety of students and faculty, and the educational system at large.

2. Substantially disrupts school operations by interfering with the district's mission to instruct students in an atmosphere free from fear, is disruptive of school efforts to encourage students to remain in school until graduation, and is just as disruptive of the district's efforts to prepare students for productive lives in the community as they become adults.

3. Substantially disrupts healthy student behavior and thereby academic achievement. Research indicates that healthy student behavior results in increased student academic achievement. Improvement in student behavior through the prevention or minimization of intimidation, harassment, and bullying towards student-victims simultaneously supports the district's primary and substantial interest in operating schools that foster and promote academic achievement.

4. Substantially interferes with school compliance with federal law that seeks to maximize the mainstreaming of students with disabilities and hinders compliance with Individual Educational Programs containing objectives to increase the socialization of students with disabilities. Targets of bullying are often students with known physical or mental disabilities who, as a result, are perceived by bullies as easy targets for bullying actions.

5. Substantially interferes with the district's mission to advance the social skills and social and emotional well-being of students. Targets of intimidation, harassment, and bullying are often "passive-target" students who already are lacking in social skills because they tend to be extremely sensitive, shy, display insecurity, anxiety and/or distress; may have experienced a traumatic event; may try to use gifts, toys, money, or class assignments or performance bribes to protect themselves from intimidation, harassment, or bullying; are often small for their age and feel vulnerable to bullying acts; and/or may resort to carrying weapons to school for self-protection. Passive-target victims who have been harassed and demeaned by the behavior of bullies often respond by striving to obtain power over others by becoming bullies themselves, and are specifically prone to develop into students who eventually inflict serious physical harm on other students, or, in an effort to gain power over their life or situation, commit suicide.

6. Substantially disrupts school operations by increasing violent acts committed against fellow students. Violence, in this context, is frequently accompanied by criminal acts.

7. Substantially disrupts school operations by interfering with the reasonable expectations of other students that they can feel secure at school and not be subjected to frightening acts or be the victim of mistreatment resulting from bullying behavior.

PROHIBITING BULLYING, REGULATION (Cont.)

Bullying often involves expressive gestures, speech, physical acts that are sexually suggestive, lewd, vulgar, profane, or offensive to the education or social mission of this school district, and at times involves the commission of criminal acts. This behavior interferes with the curriculum by disrupting the presentation of instruction and also disrupts and interferes with the student-victim's or bystander's ability to concentrate, retain instruction, and study or to operate free from the effects of bullying. This results in a reluctance or resistance to attend school.

Definition of Terms

1. Statutory definition of harassment, intimidation, and bullying:

   70 O.S. §24-100.3(c) of the School Safety and Bullying Prevention Act defines the terms "bullying," as including, but not limited to a pattern of harassment, intimidation, threatening behavior, physical acts, verbal or electronic communication, directed toward a student or group of students that results in or is reasonably perceived as being done with the intent to cause negative educational or physical results for the targeted individual or group and is communicated in such a way as to disrupt or interfere with the school's educational mission or the education of any student that a reasonable person should recognize will:

   A. Harm another student;

   B. Damage another student's property;

   C. Place another student in reasonable fear of harm to the student's person or damage to the student's property; or

   D. Insult or demean any student or group of students in such a way as to disrupt or interfere with the school's educational mission or the education of any student.

2. The "Reasonable Person" Standard

   In determining what a "reasonable person" should recognize as an act placing a student in "reasonable" fear of harm, staff will determine "reasonableness" not only from the point of view of a mature adult, but also from the point of view of an immature child of the age of the intended victim along with, but not limited to, consideration of special emotional, physical, or mental needs of the particular child; personality or physical characteristics, or history that might cause the child to be particularly sensitive to efforts by a bully to humiliate, embarrass, or lower the self esteem of the victim; and the discipline history, personality of, and physical characteristics of the individual alleged to have engaged in the prohibited behavior.

3. General Display of Bullying Acts

   Bullying, for purposes of this section of the regulation, includes harassment and intimidation, and vice versa. According to experts in the field, bullying in general is the exploitation of a less powerful person by an individual taking unfair advantage of that person, which is repeated over time, and which inflicts a negative effect on the victim. The seriousness of a bullying act depends on the harm inflicted upon the victim and the frequency of the offensive acts. Power may be, but is not limited to, physical strength, social skill, verbal ability, or other characteristics. Bullying acts by students have been described in several different categories.

PROHIBITING BULLYING, REGULATION (Cont.)

A. Physical Bullying includes harm or threatened harm to another's body or property, including, but not limited to, what would reasonably be foreseen as a serious expression of intent to inflict physical harm or property damage through verbal or written speech or gestures directed at the student-victim, when considering the factual circumstances in which the threat was made and the reaction of the intended victim. Common acts include tripping, hitting, pushing, pinching, pulling hair, kicking, biting, starting fights, daring others to fight, stealing or destroying property, extortion, assaults with a weapon, other violent acts, and homicide.

B. Emotional Bullying includes the intentional infliction of harm to another's self-esteem, including, but not limited to, insulting or profane remarks, insulting or profane gestures, or harassing and frightening statement, when such events are considered in light of the surrounding facts, the history of the students involved, and age, maturity, and special characteristics of the students.

C. Social Bullying includes harm to another's group acceptance, including, but not limited to, harm resulting from intentionally gossiping about another student or intentionally spreading negative rumors about another student that results in the victim being excluded from a school activity or student group; the intentional planning and/or implementation of acts or statements that inflict public humiliation upon a student; the intentional undermining of current relationships of the victim-student through the spreading of untrue gossip or rumors designed to humiliate or embarrass the student; the use of gossip, rumors, or humiliating acts designed to deprive the student of awards, recognition, or involvement in school activities; the false or malicious spreading of an untrue statement or statements about another student that exposes the victim to contempt or ridicule or deprives the victim of the confidence and respect of student peers; or the making of false statements to others that the student has committed a crime, or has an infectious, contagious, or loathsome disease, or similar egregious representations.

D. Sexual Bullying includes harm to another resulting from, but not limited to, making unwelcome sexual comments about the student; making vulgar, profane, or lewd comments or drawings or graffiti about the victim; directing vulgar, profane, or lewd gestures toward the victim; committing physical acts of a sexual nature at school, including the fondling or touching of private parts of the victim's body; participation in the gossiping or spreading of false rumors about the student's sexual life; written or verbal statements directed at the victim that would reasonably be interpreted as a serious threat to force the victim to commit sexual acts or to sexually assault the victim when considering the factual circumstances in which the threat was made and the reaction of the intended victim; off-campus dating violence by a student that adversely affects the victim's school performance or behavior, attendance, participation in school functions or extracurricular activities, or makes the victim fearful at school of the assaulting bully; or the commission of sexual assault, rape, or homicide. Such conduct may also constitute sexual harassment – also prohibited by Boone-Apache Public Schools.

Procedures Applicable to the Understanding of and Prevention of Bullying of Students

1. Student and Staff Education and Training

   All staff will be provided with a copy of the district's policy on prevention of bullying of students. All students will be provided a summary of the policy and notice that a copy of the entire policy is available on request. Boone-Apache Public Schools is committed to providing appropriate and relevant training to staff

PROHIBITING BULLYING, REGULATION (Cont.)

regarding identification of behavior constituting bullying of students and the prevention and management of such conduct.

Students, like staff members, shall participate in an annual education program that sets out expectations for student behavior and emphasizes an understanding of bullying of students, the district's prohibition of such conduct, and the reasons why the conduct is destructive, unacceptable, and will lead to discipline. Students shall also be informed of the consequences of bullying conduct toward their peers.

B. Boone-Apache Public Schools' Safe School Committee

The safe school committee has the responsibility of studying and making recommendations regarding unsafe conditions, strategies for students to avoid harm at school, student victimization, crime prevention, school violence, and other issues that interfere with an adversely affect the maintenance of safe schools.

With respect to student harassment, intimidation, and bullying, the safe school committee shall consider and make recommendations regarding professional staff development needs of faculty and other staff related to methods to decrease student harassment, intimidation, and bullying and understanding and identifying bullying behaviors. In addition, the committee shall make recommendations regarding: identification of methods to encourage the involvement of the community and students in addressing conduct involving bullying; methods to enhance relationships between students and school staff in order to strengthen communication; and fashioning of problem-solving teams that include counselors and/or school psychologists.

In accomplishing its objectives, the committee shall review traditional and accepted harassment, intimidation, and bullying prevention programs utilized by other states, state agencies, or school districts. (See also policy BDFC.)

Student Reporting

Students are encouraged to inform school personnel if they are the victim of or a witness to acts of harassment, intimidation, or bullying.

Staff Reporting

An important duty of the staff is to report acts or behavior that the employee witnesses that appears to constitute harassing, intimidating, or bullying. Employees, whether certified or noncertified, shall encourage students who tell them about acts that may constitute intimidation, harassment, or bullying to complete a report form. For young students, staff members given that information will need to provide direct assistance to the student.

Staff members who witness such events are to complete reports and to submit them to the employee designated by the superintendent to receive them. Staff members who hear of incidents that may, in the staff member's judgment, constitute harassment, intimidation, or bullying, are to report all relevant information to the superintendent or his/her designee.

PROHIBITING BULLYING, REGULATION (Cont.)

Parental Responsibilities

Parents/guardians will be informed in writing of the district's program to stop bullying. An administrative response to bullying may involve certain actions to be taken by parents. Parents will be informed of the program and the means for students to report bullying acts toward them or other students. They will also be told that to help prevent bullying at school they should encourage their children to:

1. Report bullying when it occurs;
2. Take advantage of opportunities to talk to their children about bullying;
3. Inform the school immediately if they think their child is being bullied or is bullying other students;
4. Watch for symptoms that their child may be a victim of bullying and report those symptoms; and
5. Cooperate fully with school personnel in identifying and resolving incidents.

Discipline of Students

In administering discipline, consideration will be given to alternative methods of punishment to ensure that the most effective discipline is administered in each case. In all disciplinary action, teachers and administrators will be mindful of the fact that they are dealing with individual personalities. The faculty may consider consultation with parents to determine the most effective disciplinary measure.

In considering alternatives of corrective actions, the faculty/administration of the school district will consider those listed below. However, the school is not limited to these alternative methods, nor does this list reflect an order or sequence of events to follow in disciplinary actions. The board of education will rely upon the judgment and discretion of the administrator to determine the appropriate remedial or corrective action in each instance.

1. Conference with student
2. Conference with parents
3. In-school suspension
4. Detention
5. Referral to counselor
6. Behavioral contract
7. Changing student's seat assignment or class assignment
8. Requiring a student to make financial restitution for damaged property
9. Requiring a student to clean or straighten items or facilities damaged by the student's behavior
10. Restriction of privileges
11. Involvement of local authorities
12. Referring student to appropriate social agency
13. Suspension
14. Other appropriate disciplinary action as required and as indicated by the circumstances which may include, but is not limited to, removal from eligibility to participate or attend extracurricular activities as well as removal

PROHIBITING BULLYING, REGULATION (Cont.)

from the privilege of attending or participating in the graduation ceremony, school dances, prom, prom activities, and/or class trips.

The above consequences will be imposed for any person who commits an act of bullying as well as any person found to have falsely accused another as a means of retaliation, reprisal, or as a means of bullying. Strategies will be created to provide counseling or referral to appropriate services, including guidance, academic intervention, and other protection for students, both targets and perpetrators, and family members affected by bullying, as necessary.

Publication of Policy

Annual written notice of this policy will be provided to parents, guardians, staff, volunteers, and students with age-appropriate language for students. Notice of the policy will be posted at various locations within each school site, including but not limited to, cafeterias, school bulletin boards, and administrative offices. The policy will be posted on the school district's website at *(school's website)* and at each school site that has an Internet website. The policy will be included in all student and staff handbooks.

PROHIBITING BULLYING
(INVESTIGATION PROCEDURES)

The following procedures will be used by any person for the filing, processing, and resolution of a reported incident of harassment, intimidation, bullying, or threatening behavior. The procedures are to be followed by the administration of the school district in an effort to determine the severity of the incident and the potential to result in future violence.

Definitions

1. "Bullying" means any pattern of harassment, intimidation, threatening behavior, physical acts, verbal or directed toward a student or group of students that results in or is reasonably perceived as being done with the intent to cause negative educational or physical results for the targeted individual or group and is communicated in such a way as to disrupt or interfere with the school's educational mission or the education of any student.

   "Electronic communication" means the communication of any written, verbal, ~~or~~ pictorial information or video content by means of an electronic device, including, but not limited to, a telephone, a mobile or cellular telephone or other wireless communication device, or a computer.

   "Threatening behavior" means any pattern of behavior or isolated action, whether or not it is directed at another person, that a reasonable person would believe indicates potential for future harm to students, school personnel, or school property.

Procedures

The procedure for investigating reported incidents of harassment, intimidation, and bullying or threatening behavior, is as follows:

1. The matter should immediately be reported to the building principal. If the bullying involved an electronic communication, a printed copy of the communication as well as any identifying information such as email address or web address shall be provided to the building principal. As much detailed information as possible should be provided to the building principal in written form to allow for a thorough investigation of the matter.

2. Upon receipt of a written report, the building principal shall contact the superintendent and begin an investigation to determine the severity of the incident and the potential for future violence.

3. If, during the course of the investigation, it appears that a crime may have been committed the building principal and/or superintendent shall notify local law enforcement and request that the alleged victim also contact law enforcement to report the matter for potential criminal investigation.

4. If it is determined that the school district's discipline code has been violated, the building principal shall follow district policies regarding the discipline of the student. The building principal shall make a determination as to whether the conduct is actually occurring.

PROHIBITING BULLYING, INVESTIGATION PROCEDURES (Cont.)

5. Upon completion of the investigation, the principal or superintendent may recommend that available community mental health care substance abuse or other counseling options be provided to the student, if appropriate. This may include information about the types of support services available to the student bully, victim, and any other students affected by the prohibited behavior. If such a recommendation is made, the administration shall request disclosure of any information that indicates an explicit threat to the safety of students or school personnel provided the disclosure of information does not violate the provisions or requirements of the Family Educational Rights and Privacy Act of 1974, the Health Insurance Portability and Accountability Act of 1996, Section 2503 of Title 12 of the Oklahoma Statutes, Section 1376 of Title 59 of Oklahoma Statutes, or any other state or federal laws relating to the disclosure of confidential information.

6. Upon completion of an investigation, timely notification shall be provided to the parents or guardians of a victim of documented and verified bullying. This information should be provided within 7 days of the conclusion of the investigation.

7. Upon completion of an investigation, timely notification shall be provided to the perpetrator of the documented and verified bullying. This information should be provided within 7 days of the conclusion of the investigation.

Reports may be made anonymously. However, no formal disciplinary action shall be taken solely on the basis of an anonymous report. Reports shall be made immediately to the building principal by any school employee that has reliable information that would lead a reasonable person to suspect that a person is a target of bullying.

The Superintendent shall be responsible for enforcing this policy. The building principal should notify the superintendent within twenty-four (24) hours of any report of bullying. Upon completion of an investigation, the building principal should notify the superintendent of the findings of the investigation. Documentation should also be provided to the superintendent to establish that timely notification was provided to the parents of the victim and the parents of the perpetrator.

HARASSMENT/BULLYING INCIDENT REPORT FORM

Date: _____ Time: _____ Room/Location: _____

Student(s) Initiating Bullying/Harassment:

_____ Grade: _____ Class: _____

_____ Grade: _____ Class: _____

Student(s) Affected:

_____ Grade: _____ Class: _____

_____ Grade: _____ Class: _____

Type of Harassment Alleged:

Racial _____ Sexual _____ Religious _____ Other _____

Check all spaces below that apply. Adult stated or identified inappropriate behaviors as:

_____ Name Calling
_____ Stalking
_____ Inappropriate Gesturing
_____ Staring/Leering
_____ Writing/Graffiti
_____ Threatening
_____ Taunting/Ridiculing
_____ Inappropriate Touching
_____ Other _____

_____ Spitting
_____ Demeaning Comments
_____ Stealing
_____ Damaging Property
_____ Shoving/Pushing
_____ Hitting/Kicking
_____ Flashing a Weapon
_____ Intimidation/Extortion

Describe the incident:

_____

_____

Witnesses Present: _____

Physical evidence: Graffiti _____ Notes _____ E-mail _____ Web sites _____ Video/audio tape _____
Other _____

Staff signature _____

Parent(s) contacted: Date _____ Time _____

Administrative response taken:

_____

REPORTING STUDENTS UNDER THE INFLUENCE OF OR POSSESSING ALCOHOLIC BEVERAGES OR CONTROLLED DANGEROUS SUBSTANCES

It is the policy of the Boone-Apache Board of Education that any administrator, teacher, or counselor who has reasonable suspicion that a student may be under the influence of, or has in his or her possession, alcoholic beverages - including the legally nonintoxicating beverage commonly referred to as 3.2 beer (low-point beer) - or a controlled dangerous substance as defined by law shall immediately notify the principal of such suspicions. The principal shall immediately notify the superintendent of schools and a parent or legal guardian of said student's possession of a controlled or counterfeit substance or suspected abuse thereof.

Any search, seizure, or subsequent disciplinary action shall be subject to applicable school policies, regulations, state laws, or student handbook rules.

Every administrator, teacher, or counselor employed by the board of education who has reason to believe that a student is under the influence of, or has possession of, alcoholic beverages (including 3.2 beer) or a controlled dangerous substance and who reports such information to appropriate school officials shall not be subject to civil liability unless such referral was made in bad faith or with malicious purpose.

This policy shall be distributed to each classroom teacher. Receipt shall be acknowledged in a form to be determined by the superintendent.

REFERENCE: **70 O.S. §24-138**
63 O.S. §2-101, et seq.
70 O.S. §24-102
37 O.S. §163.2

NOTE: **A copy of this policy must be filed with the State Superintendent of Public Instruction in accordance with 70 O.S. §24-138. While the cited statute requires only that school districts develop a written policy requiring only *teachers* to report students under the influence of certain substances, the State Department of Education has interpreted the civil liability exemption statute (70 O.S. §24-132) as requiring school administrators, teachers, or counselors to make such reports. Therefore, a school district's policy may be written to require reporting by administrators, teachers, and counselors.**

THIS POLICY REQUIRED BY LAW.

STUDENT DRUG TESTING PROGRAM
EXTRACURRICULAR ACTIVITIES

The Boone-Apache Board of Education, in an effort to protect the health and safety of its students from illegal and/or performance-enhancing drug use and abuse, thereby setting an example for all other students of the Boone-Apache Public School District, has adopted the following policy for drug testing of students participating in extracurricular activities.

Purpose and Intent

It is the desire of the board of education, administration, and staff that every student in the Boone-Apache Public School District refrain from using or possessing illegal drugs. The administration and board of education realize that their power to restrict the possession or use of illegal drugs is limited. The sanctions of this policy relate solely to limiting the opportunity of any student determined to be in violation of this policy to participate in extracurricular activities. This policy is intended to complement all other policies, rules, and regulations of the Boone-Apache Public School District regarding possession or use of illegal drugs.

Participation in school-sponsored extracurricular activities such as interscholastic athletics at the Boone-Apache Public School District is a privilege. Students who participate in extracurricular activities are respected by the student body and are expected to hold themselves as good examples of conduct, sportsmanship, and training. Accordingly, students in extracurricular activities carry a responsibility to themselves, their fellow students, their parents, and their school to set the highest possible examples of conduct, which includes avoiding the use or possession of illegal drugs. Additionally, this school district is contracted to follow the rules and regulations of the OSSAA whose rules specifically state: A student under a discipline plan or whose conduct or character outside the school is such as to reflect discredit upon the school shall be ineligible until reinstated.

The purposes of this policy are to prevent illegal drug use, to educate students as to the serious physical, mental, and emotional harm caused by illegal drug use; to alert students with possible substance abuse problems to the potential harms of illegal drug use; to help students avoid drugs; to help students get off drugs; to prevent injury, illness, and harm as a result of illegal drug use; and to strive within this school district for an environment free of illegal drug use and abuse. This policy is not intended to be disciplinary or punitive in nature. The sanctions of this policy relate solely to limiting the opportunity of any student found to be in violation of the policy to participate in any extracurricular activities. There will be no academic sanction for violation of this policy.

Illegal drug use of any kind is incompatible with participation in any extracurricular activities on behalf of the school district. For the safety, health, and well-being of the students of the district, this policy has been adopted for use by all participant students in grades 7-12.

Definitions

1. **Student athlete** or **athlete** means a member of the middle school or high school district-sponsored interscholastic sports team. This includes athletes and cheerleaders.

2. **Extracurricular** means those activities that take place outside the regular course of study in school and **participants** are those students involved in those activities.

3. **Drug use test** means a scientifically substantiated method to test for the presence of illegal or performance-enhancing drug or the metabolites thereof in a person's urine.

STUDENT DRUG TESTING PROGRAM, EXTRACURRICULAR ACTIVITIES (Cont.)

4. **Random tests** are given weekly to participants from the pool.

5. **Random selection basis** means a mechanism for selecting students for drug testing that:

   A. Results in an equal probability that any student from a group of students subject to the selection mechanism will be selected, and

   B. Does not give the school district discretion to waive the selection of any student athlete or extracurricular activities participant selected under the mechanism.

6. **Follow up tests** can be weekly, at random, or any time a student who has tested positive may be under suspicion of being under the influence.

7. **Illegal drugs** means any substance that an individual may not sell, possess, use, distribute, or purchase under either federal or state law. Illegal drugs include, but is not limited to, all scheduled drugs as defined by the Oklahoma Uniform Controlled Dangerous Substance Act, all prescription drugs obtained without authorization, and all prescribed and over-the-counter drugs being used for an abusive purpose.

8. **Performance-enhancing drugs** include anabolic steroids and any other natural or synthetic substance used to increase muscle mass, strength, endurance, speed, or other athletic ability. The term "performance-enhancing drugs" does not include dietary or nutritional supplements such as vitamins, minerals, and proteins that can be lawfully purchased in over-the-counter transactions.

9. **Positive**, when referring to a drug use test administered under this policy, means a toxicological test result which is considered to demonstrate the presence of an illegal or a performance-enhancing drug or the metabolites thereof using the standards customarily established by the testing laboratory administering the drug use test.

10. **Reasonable suspicion** means a suspicion based on specific personal observations concerning the appearance, speech, or behavior of a student athlete or extracurricular participant, and reasonable inferences drawn from those observations in the light of experience. Information provided by a reliable source, if based on personal knowledge, shall constitute reasonable suspicion. In the context of performance-enhancing drugs, reasonable suspicion specifically includes unusual increases in size, strength, weight, or other athletic abilities.

11. **Self-referral** is when a participant believes he/she will test positive for illegal or performance enhancing drugs, prior to submission for a drug test under this policy, so notifies the principal, athletic director, coach, or sponsor of such belief.

Procedures

A physical examination signed by a parent/guardian is required before a student may participate on a school district athletic team. A urine screen to detect the presence of illegal or performance-enhancing drugs which could have a harmful effect on the prospective athlete's health and athletic performance will be included as part of that physical examination.

STUDENT DRUG TESTING PROGRAM, EXTRACURRICULAR ACTIVITIES (Cont.)

Student participants in extracurricular activities shall be provided with a copy of this policy and an extracurricular activities student drug testing program consent form that must be read, signed, and dated by the student, parent or custodial guardian, and coach/sponsor before a participant student shall be eligible to practice in any extracurricular activity. The consent shall provide a urine sample (a) at the beginning of each school year or when the student enrolls in an extracurricular activity; (b) as chosen by the random selection basis; and (c) at any time requested based on reasonable suspicion to be tested for illegal or performance-enhancing drugs. No student shall be allowed to practice or participate in any extracurricular activity unless the student has returned the properly signed consent form.

All extracurricular activities participants shall be required to provide a urine sample for drug use testing for illegal drugs and/or performance enhancing drugs. Extracurricular participants who move into the district after the school year begins will have to undergo a drug test before they will be eligible for participation.

Drug use testing for extracurricular participants will also be chosen on a weekly selection basis from a list of all extracurricular participants in off-season or in-season activities. The school district will determine a weekly number of students' names to be drawn at random to provide a urine sample for drug use testing for illegal or performance-enhancing drugs.

In addition to the drug test required above, any extracurricular participant may be required to submit to a drug use test for illegal drugs or performance-enhancing drugs or the metabolites thereof at any time upon reasonable suspicion by the athletic director, principal, sponsor, or coach of the student.

The school district will determine any necessary fees to be collected from students who are drug tested and when those fees will be collected. The cost of subsequent tests will be borne by the school district or appropriate activity fund.

Any drug use test required by the school district under the terms of this policy will be administered by or at the direction of a professional laboratory chosen by the school district that uses scientifically validated toxicological methods. The professional laboratory shall be required to have detailed, written specifications to assure chain of custody of the specimens, proper laboratory control, and scientific testing.

All aspects of the drug use testing program, including the taking of specimens, will be conducted to safeguard the personal and privacy rights of students to a maximum degree possible. The test specimen shall be obtained in a manner designed to minimize intrusiveness of the procedure. In particular, the specimen must be collected in a restroom or other private facility with an enclosed stall or stalls. The athletic director/sponsor shall designate a coach or other school employee of the same sex as the student to accompany the student to a restroom or other private facility. The monitor shall not observe the student while the specimen is being produced, but the monitor shall be present outside the stall to listen for the normal sounds of urination in order to guard against tampered specimens and to ensure an accurate chain of custody. The monitor shall verify the normal warmth and appearance of the specimen. If at any time during the testing procedure the monitor has reason to believe or suspect that a student is tampering with the specimen, the monitor may stop the procedure and inform the athletic director/sponsor who will then determine if a new sample should be obtained. The monitor shall give each student a form on which the student may list any medications he/she has taken or is taking or any other legitimate reasons for having been in contact with illegal drugs or performance-enhancing drugs in the preceding 30 days. The parent or legal guardian shall be able to confirm the medication list submitted by their child during the 24 hours following any drug test. The medication list shall be submitted to the lab in a sealed and confidential envelope.

STUDENT DRUG TESTING PROGRAM, EXTRACURRICULAR ACTIVITIES (Cont.)

If the initial drug use test is positive, the initial test result will be subject to confirmation by a second and different test of the same specimen. The second test will use the gas chromatography/mass spectrometry technique. A specimen shall not be reported positive unless the second test utilizing the gas chromatography/mass spectrometry procedure is positive for the presence of an illegal drug or the metabolites thereof. The unused portion of a specimen that tested positive shall be preserved by the laboratory for a period of six months or to the end of the school year, whichever is shorter. Student records will be retained until the end of the school year.

Confidentiality

If the drug use test for any student has a positive result, the laboratory will contact the athletic director or designee with the results. Procedures for maintaining confidentiality will be practiced. The athletic director or designee will contact the principal, the student, the head coach/sponsor, and the parent or custodial guardian of the student and schedule a conference. At the conference, the student will be given the opportunity to submit additional information to the athletic director or to the lab. The school district will rely on the opinion of the laboratory that performed the test in determining whether the positive test result was produced by other than consumption of an illegal drug or performance-enhancing drug. Under no circumstance will results from a drug test under this policy be turned over to any law enforcement officer or agency.

Appeal

A student who has been determined by the athletic director or designee to be in violation of this policy shall have the right to appeal the decision to the superintendent or the superintendent's designee(s). Such appeal must be lodged within five business days of notice of the initial report of the offense as stated in this policy, during which time the student will remain eligible to participate in any extracurricular activities. The superintendent or designee(s) shall then determine whether the original finding was justified. There is no further appeal right from the superintendent's decision and the decision shall be conclusive in all respects. Any necessary interpretation or application of this policy shall be in the sole and exclusive judgment and discretion of the superintendent, which shall be final and nonappealable.

Consequences

1. **First positive test.** The student will be suspended from participation in all extracurricular activities for two weeks. The student and parent/guardian must attend counseling two times during the suspension period and one follow-up session. Counseling will consist of a session with the BoonePublic Schools counselor and a session with a counseling service provided by the school. Follow-up sessions may be with one or both counselors.

2. **Second positive retest.** The student will be suspended from participation in any extracurricular activity for the remainder of the semester.

3. **Third positive retest.** The student will be suspended from participation in any extracurricular activity for 180 school days.

STUDENT DRUG TESTING PROGRAM, EXTRACURRICULAR ACTIVITIES (Cont.)

4. **Self Referral.** A student who self-refers to the athletic director, principal, coach, or sponsor before being notified to submit to a drug test will be allowed to remain active in all extracurricular activities. However, the student will be considered to have committed his/her first offense under this policy, and will be required to retest as would a student who has tested positive.

5. **Refusal to submit to a drug test.** If a participant student refuses to submit to a drug test under this policy, such student shall not be eligible to participate in any extracurricular activity, including all meetings, practices, performances, and competition for 180 school days, upon completion of which, the participating student shall again be subject to this policy.

The cost per test is subject to change and will be determined by the board of education on an annual basis.

STUDENT EXTRACURRICULAR ACTIVITIES CONTRACT

Statement of Purpose and Intent

Participation in school-sponsored extracurricular activities at the Boone-Apache school district is a privilege and not a right. Such privilege is governed by the district policy on Student Possession or Use of Alcohol and Illegal Drugs and Participation in Extracurricular Activities (policy FNCFD). Alcohol and illegal drug use of any kind is incompatible with participation in extracurricular activities on behalf of the Boone-Apache Public Schools. Students who participate in these activities are respected by the student body and are expected to hold themselves as good examples of conduct, sportsmanship, and training. Accordingly, student participants in extracurricular activities carry a responsibility to themselves, their fellow students, their parents, and their school to set the highest possible examples of conduct, which includes avoiding the use or possession of alcohol or illegal drugs.

Participation in Extracurricular Activities

For the safety, health, and well-being of the students of the Boone-Apache Public Schools district, the district has adopted the attached policy on Student Possession or Use of Alcohol and Illegal Drugs and Participation in Extracurricular Activities (policy FNCFD) and this Student Extracurricular Activities Contract, which shall be read, signed, and dated by the student participant, parent or custodial guardian, and coach/sponsor before such participant shall be eligible to practice or participate in any extracurricular activity. No student shall be allowed to practice or participate in any extracurricular activity unless the student has returned the properly signed Student Extracurricular Activities Contract.

Student's Last Name _____ First Name _____ Middle Initial _____

I understand, after having read the policy on Student Possession or Use of Alcohol and Illegal Drugs and Participation in Extracurricular Activities and this Student Extracurricular Activity Contract, that, out of care for my safety and health, the Boone-Apache school district enforces the rules applying to the consumption or possession of alcohol and/or illegal drugs. As a member of a Boone-Apache Public Schools organization, I realize that the personal decisions that I make daily in regard to the consumption or possession of alcohol and/or illegal drugs may affect my health and well-being as well as the possible endangerment of those around me and reflect upon any organization with which I am associated. If I choose to violate school policy regarding the use or possession of alcohol and/or illegal drugs any time during the school year, I understand, upon determination of that violation, I will be subject to the restriction of my participation as outlined in the policy.

Signature of Student _____ Date _____

We have read and understand the policy on Student Possession or Use of Alcohol and Illegal Drugs and Participation in Extracurricular Activities and this Student Extracurricular Activities Contract. We desire that the student named above participate in the extracurricular activity programs of the Boone-Apache Public Schools and we hereby agree to abide by all provisions of the policy.

Signature of Parent or Custodial Guardian _____ Date _____

STUDENT EXTRACURRICULAR ACTIVITIES CONTRACT (Cont.)

PLEASE OBTAIN THE SIGNATURES OF ALL COACHES/SPONSORS FOR EXTRACURRICULAR ACTIVITIES, TEAMS, OR ORGANIZATIONS IN WHICH THE STUDENT IS INVOLVED:

Signature of Sponsor or Coach	Activity/Team/Organization
Signature of Sponsor or Coach	Activity/Team/Organization
Signature of Sponsor or Coach	Activity/Team/Organization
Signature of Sponsor or Coach	Activity/Team/Organization
Signature of Sponsor or Coach	Activity/Team/Organization
Signature of Sponsor or Coach	Activity/Team/Organization
Signature of Sponsor or Coach	Activity/Team/Organization
Signature of Sponsor or Coach	Activity/Team/Organization

WEAPONS-FREE SCHOOLS

It is the policy of this school district to comply fully with the Gun-Free Schools Act.

1. Any student in this school district who uses or possesses a firearm at school, at any school-sponsored event, or in or upon any school property including school transportation or school-sponsored transportation may be removed from school for one full calendar year or longer.

   The superintendent or designee may modify the provisions of this policy on a case-by-case basis. However, any substantial modification must be reported to the board of education at its next meeting.

   Firearms are defined in Title 18 of the United States Code, Section 921, as (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device including any explosive, incendiary or poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine or any device similar to the above.

   Such firearm or weapon will be confiscated and released only to a law enforcement authority.

2. Oklahoma Statutes, Title 21, Section 1280.1 prohibits any person to have in such person's possession on any public or private school property or while in any school bus or vehicle used by any school for transportation of students or teachers any firearm or weapon as defined in Title 21, Section 1272, below:

   > "...any pistol, revolver, shotgun or rifle whether loaded or unloaded, or any blackjack, loaded cane, billy, hand chain, metal knuckles, or any other offensive weapon, whether such weapon is concealed or unconcealed."

The school district also prohibits the possession of any knife that is brought to school that could be utilized in a manner to harm another. Whether or not a student will be disciplined for the possession of a knife will be determined on a case-by-case basis. Students with disabilities are subject to this policy and will be disciplined in accordance with district policy and the Individuals with Disabilities Act and Section 504 of the Rehabilitation Act.

An exception to this policy may be made for students participating in an authorized extracurricular activity or team involving the use of firearms or archery equipment. In addition, exceptions will be made for a gun, knife, bayonet or other weapon in the possession of a member of a veterans group, the national guard, active military, the Reserve Officers' Training Corp (ROTC) or Junior ROTC, in order to participate in a ceremony, assembly or educational program approved by the principal or chief administrator of a school district where the ceremony, assembly or educational program is being held; provided, however, that the gun or other weapon that uses projectiles is not loaded and is inoperable at all times while on school property.

A handgun may be carried in a motor vehicle pursuant to a valid handgun license authorized by the Oklahoma Self-Defense Act onto property set aside by a public or private elementary or secondary school for the use or parking of any vehicle; provided, however, said handgun shall be stored and hidden from view in a locked motor vehicle when the motor vehicle is left unattended on school property

WEAPONS-FREE SCHOOLS (Cont.)

Any student who violates this policy will be subject to discipline which may include suspension for the remainder of the semester and the entire succeeding semester or up to one full calendar year or longer (for firearms) or for any term less than one calendar year (for weapons other than firearms) as determined by the superintendent or the superintendent's designee. Disciplinary action will be determined on a case-by-case basis.

Students found to be in violation of this policy shall be referred to the appropriate criminal or juvenile justice system. Any firearms found on the premises shall be reported to law enforcement and will immediately be turned over to local law enforcement as per state law requirements.

Penalties to Parent for Child with Firearm at School

Any custodial parent or guardian of a child under eighteen (18) years of age whose child commits the crime of possession of a firearm on school property may be fined not exceeding Two Hundred Dollars ($200.00), or ordered to perform community service not exceeding forty (40) hours or both such fine and community service. To satisfy community service requirement, the court may give preference to work which benefits the school said child attends. Said penalty shall be an administrative penalty and shall not be recorded on the custodial parent or guardian's criminal record. The fine shall be payable to the court clerk to be deposited in the court fund. Nothing in this section shall prohibit the filing or prosecution of any criminal charge. (21 O.S. § 858).

REFERENCE: **18 U.S.C. § 921**
21 O.S. § 1271.1, § 1280.1, and § 1289.24
70 O.S. § 24-132.1

NOTE : **The district is required to include, in each application to the State Department of Education for assistance under the Elementary and Secondary Education Act of 1965, a description of the circumstances surrounding any expulsions imposed under this policy, including the name of the school; the number of students expelled from the school, and the type of weapons concerned.**

THIS POLICY REQUIRED BY LAW.

SEARCH OF STUDENTS

The Boone-Apache Board of Education believes that all students should be free from unreasonable search and seizure by school officials. However, it shall be the policy of the board that the superintendent, principal, teacher, and security personnel shall have the authority to search a student and a student's property when there is reasonable suspicion for such searches. The superintendent is instructed to establish a regulation for board approval that supports this policy.

REFERENCE: 70 O.S. §24-102

SEARCH OF STUDENTS (REGULATION)

In accordance with the policy of the board of education, searches of students shall be conducted under the following circumstances:

The superintendent, principal, teacher, or security personnel of this school (authorized personnel) may detain and search any student or students on the premises of the public schools, or while attending, or while in transit to, any event or function sponsored or authorized by the school only under the following conditions:

1. When any authorized person has reasonable suspicion that the student may have on the student's person or property alcoholic beverages ss defined in the Oklahoma Alcoholic Beverages Act, dangerous weapons, controlled dangerous substances as defined by law, stolen property if the property in question is reasonably suspected to have been taken from a student, a school employee, or the school during school activities, or any other items which have been or may reasonably be disruptive of school operations or in violation of student discipline rules.

2. School lockers and school desks are the property of the school, not the student. Students have no expectation of privacy concerning lockers, desks, or other school property. The users of lockers, desks, and other storage areas or compartments have no reasonable expectation of privacy from school employees as to the contents of those areas. Lockers, desks, and other storage areas or compartments may be subjected to searches at any time with or without reasonable suspicion. Students are not to use any school area or property to contain any item that should not be at school. Students shall not exchange lockers or desks or use any lockers or desks other than those assigned to them by the principal.

3. Authorized personnel may search a student, within the limits of state and federal law (or this policy), whenever the student consents to such a search. However, consent obtained through threats or coercion is not considered to be freely and voluntarily given.

4. Authorized personnel conducting a search shall have authority to detain the student or students and to preserve any contraband seized.

5. Any searches of students as outlined herein will be conducted by an authorized person who is the same sex as the person being searched and shall be witnessed by at least one other authorized person who is of the same sex as the person being searched.

6. Strip searches are forbidden. No clothing except cold weather outer garments, shoes, hand coverings, and head coverings, except religious head coverings, will be removed before or during a search.

7. Items that may be seized during a lawful search - in addition to those mentioned in paragraph 1 above - shall include, but not be limited to, any item, object, instrument, or material commonly recognized as unlawful or prohibited. For example: prescription or nonprescription medicines, switchblade knives, brass knuckles, billy clubs, and pornographic literature are commonly recognizable as unlawful or prohibited items. Such items, or any other items which may pose a threat to a student, the student body, or other school personnel, shall be seized, identified as to ownership if possible, and held for release to proper authority.

SEARCH OF STUDENTS, REGULATION (Cont.)

8. Any student found to be in possession of dangerous weapons, controlled dangerous substances, or other unlawful or prohibited items may be suspended by the superintendent for a period not to exceed the current school semester and the succeeding semester. Such suspension may be in addition to any civil or criminal liability.

9. The superintendent may designate personnel to transport items that are removed from a student to a centralized location within the school district or to local law enforcement offices for lawful disposal. While in transport, the designated school personnel shall carry their school identification and a letter from the superintendent confirming their authority to transport the items for disposal. All items transported for disposal shall be transported in a located container.

REFERENCE: 70 O.S. §24-102
70 O.S. §24-101.3

STUDENT SEARCHES CHECKLIST

This checklist is to be used in conjunction with a student search incident.

1. What factors caused you to have a reasonable suspicion that a search of this student or the student's effects will provide evidence that the student has violated or is violating the law or rules of the school?

   A. Eyewitness account:

      1. By whom _____
      2. Date/time _____
      3. Place _____
      4. What was observed _____
         _____

   B. Information from a reliable source:

      1. From whom information received _____
      2. Date and time received _____
      3. How was information received _____
      4. Who received the information _____
      5. Describe information received _____
         _____
         _____

   C. Suspicious behavior. Please explain:
      _____
      _____
      _____
      _____

   D. Date and time search was conducted _____

   E. Location (where search was conducted) _____

STUDENT SEARCHES, CHECKLIST (Cont.)

F. Reason given to student for search _____

_____

G. Was student's consent requested? _____ Given? _____

2. Reasonableness of search in terms of scope and intrusiveness

A. What were (are) you searching for? _____

_____

B. Age and sex of student _____

C. Exigency of the situation _____

D. What type of search was (is being) conducted? _____

_____

E. Who conducted (is conducting) the search? _____
Position: _____ Sex: _____

F. Who witnessed the search? _____

3. Explanation of search

A. Describe the time and location of the search _____

_____

B. Describe exactly what was searched _____

C. What did the search yield? _____

_____

D. What was seized? _____

E. Was anything released to police? _____

F. Were parents notified of the search, including the reasons and the scope? _____

STUDENT SEARCHES
AUTHORITY TO TRANSPORT

To Whom It May Concern:

This letter serves as confirmation that (insert name of employee) has been provided the authority to transport for disposal contraband collected from students in the Boone-Apache School District. The named employee has their school identification and this letter in their possession at all times during the transportation process. All items being transported for disposal are transported in a locked container. The employee has permission to transport the contraband from individual school sites to a centralized location within the school district or to local law enforcement.

Sincerely,

_____

Superintendent

RESPONSIBILITY FOR SCHOOL PROPERTY: LOCKERS

It is the policy of this district that school lockers will be assigned to students on the first day of school or as soon as possible thereafter.

They are to be kept locked at all times. They are to be kept clean and never defaced in any manner. This applies to the inside as well as the outside. Locker mates are not changed without the principal's permission.

Any locker malfunction should be reported to the office. Students are cautioned not to keep money or other valuables in their lockers.

Students have no expectation of privacy concerning lockers, desks, or other school property. All student lockers, desks, and other school property are subject to periodic inspection. When such inspections are announced, each student shall open his or her locker and remain present during the inspection.

The superintendent will develop, or cause to be developed, rules and regulations for the issuance, use, and maintenance of the lockers.

REFERENCE: 70 O.S. §24-102

RESPONSIBILITY FOR SCHOOL PROPERTY: LOCKERS (REGULATIONS)

In accordance with the policy of the board of education, lockers are loaned to students during the school year but remain the property of the school and may be inspected periodically to insure that they are being properly cared for and that contents are in no way harmful to the owners, other students, or to the school building. If, at the end of the school year, the locker has not been maintained in good condition, a maintenance fee will be assessed. These rules should be followed:

1. All lockers should be cleaned out weekly.
2. Under no circumstances should a student tamper with another student's locker.
3. Students should remain quiet while at lockers and refrain from banging locker door or closing it by kicking it shut.
4. Students are not permitted to change locker partners unless special permission is given by the principal.

ACKNOWLEDGMENT CONCERNING USE OF STUDENT LOCKERS

I acknowledge and understand that:

Student lockers are the property of the school system.

Student lockers remain at all times under the control of the school system.

I am expected to assume full responsibility for my school locker.

The school system retains the right to inspect student lockers for any reason at any time without notice, without student consent, and without a search warrant.

_____
STUDENT

_____
DATE

_____
LOCKER NUMBER

WIRELESS TELECOMMUNICATION DEVICES

It is the policy of the Board of Education that a student may possess a wireless telecommunications device while on school premises, or while in transit under the authority of the school, or while attending any function sponsored or authorized by the school upon prior written consent of both the student's parent or guardian, and the superintendent or the superintendent's designee.

Upon reasonable suspicion, the superintendent, principal, teacher, or security personnel shall have the authority to detain and search, or authorize the search of, any student or property in the possession of the student for unauthorized wireless telecommunication devices.

Students found to be using any wireless telecommunications device for any illegal purpose, violation of privacy, or to in any way send or receive personal messages, data, or information that would contribute to or constitute cheating on tests or examinations shall be subject to discipline and the device shall be confiscated and not returned until a parent conference has been held. Students violating this rule will be disallowed from carrying any wireless telecommunication device following the incident unless a bona fide health emergency exists.

Students found to be in possession of or using a wireless telecommunications device in violation of the rules shall be subject to disciplinary action under the student discipline policy, including, but not limited to confiscation of the device pending parent/guardian conference, detention, or suspension. Punishment for violation will be determined by the administration on a case-by-case basis. Where appropriate, police authorities may be contacted.

REFERENCE: 70 O.S. §24-101.1, et seq.
70 O.S. §24-102

THIS POLICY REQUIRED BY LAW.

STUDENT DISCIPLINE

The Boone-Apache Board of Education believes that the school's primary goal is to educate, not to discipline. However, education includes establishing norms of social behavior and assisting students in understanding and attaining those norms. Occasionally, corrective actions are necessary for the benefit of the individual and the school. The teacher in a public school has the same rights as a parent or guardian to control and discipline a child while the child is in attendance, in transit to or from the school, or participating in any authorized school function. Further, it is the policy of the district that students may be disciplined for any misconduct related to the programs or activities of the district. No teacher or administrator will administer formal discipline to his or her own child on behalf of the school except in cases of disruption in the classroom or common areas. Disciplinary matters concerning children of school employees will be handled by the appropriate principal or the superintendent or the superintendent's designee. The superintendent's child will be disciplined by someone other than the superintendent.

Each student shall be treated in a fair and equitable manner. Disciplinary action will be based on a careful assessment of the circumstances surrounding each infraction. The following are some examples of these circumstances:

The seriousness of the offense;
The effect of the offense on other students;
Whether the offense is physically or mentally injurious to other people;
Whether the incident is isolated or habitual behavior;
The manifestation of a disability;
Any other circumstances which may be appropriately considered.

Standards of behavior for all members of society are generally a matter of common sense. The following examples of behavior are not acceptable in society generally, and in a school environment particularly. The involvement of a student in the kind of behavior listed below will generally require remedial or corrective action. These examples are not intended to be exhaustive, and the exclusion or omission of unacceptable behavior is not an endorsement or acceptance of such behavior. When, in the judgment of a teacher or administrator, a student is involved or has been involved in unacceptable behavior, appropriate remedial or corrective action will be taken.

1. Unexcused lateness to school
2. Unexcused lateness to class
3. Cutting class
4. Leaving school without permission
5. Refusing detention/late room
6. Smoking
7. Truancy
8. Possessing or using alcoholic beverages or other mood-altering chemicals
9. Stealing
10. Forgery, fraud, or embezzlement
11. Assault, physical and/or verbal
12. Fighting
13. Possession of weapons or other items with the potential to cause harm
14. Distributing obscene literature
15. Destroying/defacing school property

STUDENT DISCIPLINE (Cont.)

16. Racial discrimination including racial slurs or other demeaning remarks concerning another person's race, ancestry, or country of origin and directed toward another student, an employee, or a visitor
17. Sexual harassment
18. Gang related activity or action
19. Cheating

In administering discipline, consideration will be given to alternative methods of punishment to ensure that the most effective discipline is administered in each case. In all disciplinary action, teachers and administrators will be mindful of the fact that they are dealing with individual personalities. The faculty may consider consultation with parents to determine the most effective disciplinary measure.

In considering alternatives of corrective actions, the faculty/administration of the school district will consider those listed below. However, the school is not limited to these alternative methods, nor does this list reflect an order or sequence of events to follow in disciplinary actions. The board of education will rely upon the judgment and discretion of the administrator to determine the appropriate remedial or corrective action in each instance.

1. Conference with student
2. Conference with parents
3. In-school suspension
4. Detention
5. Referral to counselor
6. Behavioral contract
7. Changing student's seat assignment or class assignment
8. Requiring a student to make financial restitution for damaged property
9. Requiring a student to clean or straighten items or facilities damaged by the student's behavior
10. Restriction of privileges
11. Involvement of local authorities
12. Referring student to appropriate social agency
13. Suspension
14. Other appropriate disciplinary action as required and as indicated by the circumstances which may include, but is not limited to, removal from eligibility to participate or attend extracurricular activities as well as removal from the privilege of attending or participating in the graduation ceremony, school dances, prom, prom activities, and/or class trips.

Parents, guardians, and students enrolled in this school district shall be notified at the beginning of each school year that this policy is in effect. A copy of this policy will be made available upon request to parents or guardians at any time during the school year.

Parents, guardians, and students residing in this school district are also advised by means of this policy statement and by the student handbook that students in this district shall have no reasonable expectation of privacy rights towards school officials, in school lockers, desks, or other school property. School personnel shall have access to school lockers, desks, and other school property at any time and no reason shall be necessary for such search. Student property may be searched with reasonable suspicion.

Teachers, parents, guardians, and students are invited and encouraged to participate in the formulation of disciplinary policies, rules, and regulations by suggesting to administrators appropriate means of discipline for specific infractions.

STUDENT DISCIPLINE (Cont.)

REFERENCE: **10 O.S. §7115**
70 O.S. §6-114
70 O.S. §24-101.3

THIS POLICY REQUIRED BY LAW.

CONTROL AND DISCIPLINE POLICY

The board of education believes that the school's primary goal is to educate, not discipline. However, when the behavior of an individual student interferes with the rights of others, corrective action may be necessary for the benefit of the individual as well as the school. A student who has been suspended for a violent offense directed towards a teacher shall not be allowed to return to that teacher's classroom without the approval of that teacher.

Oklahoma Law, Title 70, Section 6-114, provides teachers with the same rights as parents to control and discipline school children in accordance with local school policies. The following schedule of infractions is provided as an aid to teachers in exercising control and discipline of students. The schedule is not intended to include all possible infractions. Therefore, behavior that is not included in the following schedule may warrant appropriate disciplinary measures. The following schedule shall not be used in determining discipline for any child on an IEP or Section 504 plan until such time as the student's IEP team has determined that the infraction is in no way a manifestation of that student's disability.

Infractions	Minimum Action <		> Maximum Action
1. Unexcused tardiness	---- Refer to Attendance Policy ----		
2. Disruption of class or assembly	School Conference	Parent Conference	Suspension
3. Lunchroom misconduct	School Conference	Parent Conference	Suspension
4. Bus/playground misconduct	---- Refer to Bus Conduct Policy ----		
5. Negligence in completing classwork	School Conference	Parent Conference	Suspension
6. Cutting class	---- Refer to Attendance Policy ----		
7. Leaving school without permission	---- Refer to Leaving School Grounds (Closed Campus) Policy ----		
8. Truancy	---- Refer to Attendance Policy ----		
9. Tobacco on school grounds	School Conference	Parent Conference	Suspension [1]
10. Drugs or Alcohol possession	Parent Conference		Suspension [1, 2]
11. Gambling	School Conference	Parent Conference	Suspension
12. Theft	Parent Conference		Suspension [1, 2]
13. Assault-physical or verbal	Parent Conference		Suspension [1, 2]
14. Fighting	Parent Conference		Suspension
15. Destruction of property, vandalism	Parent Conference		Suspension [1, 2]
16. Threats/Harassment	School Conference	Parent Conference	Suspension [2]
17. Extortion	School Conference		Suspension [1, 2]
18. Refusal to obey school officials	School Conference	Parent Conference	Suspension
19. Possession of weapons or other items with the potential to cause harm			Suspension [2]

1. May require counseling and rehabilitative efforts before reinstated in school programs
2. May require notification of legal authorities

Other possible corrective actions include warning students that continued infraction may result in more severe consequences, removing students from class, before or after school detention, alternative placements, financial restitution, if necessary, and referral to social agencies, if appropriate. The administration may impose punishment that would prevent a student from participation in and attendance at extracurricular activities. In addition, student discipline consequences may include an inability to participate in the graduation ceremony, prom, prom activities, school dances, and/or a class trip.

Suspension alternatives may include in-house suspension or out-of-school suspension. Refer to the Suspension Policy (see policy FOD) for requirements for short-term suspensions (1-10 days) and long term suspensions (11 or more days).

RESTRAINTS AND SECLUSION

It is the policy of the board of education that physical restraint and seclusion will not be utilized as an acceptable punishment for students. Students will be physically restrained only in the event that the child is an immediate threat to self or others. In such circumstance, the physical restraint will not include any action that could potentially restrict breathing or subject the child to physical injury.

Children that are on an Individualized Education Plan "IEP" may be disciplined in accordance with a Behavioral Intervention Plan ("BIP)" that is included within the IEP. Each incident involving restraint or seclusion of a child on an IEP shall be reported immediately to a school site administrator and documented using the statewide online IEP reporting system. A copy of the documentation shall be placed in the student's file and provided to the student's parent or guardian. For each incident of seclusion or restraint, the student's parent or guardian shall be notified as soon as possible, and must be notified no later than the school day following the incident or within twenty-four (24) hours of the incident, whichever is first. An IEP meeting may be needed to review or implement a BIP for the student.

REFERENCE: **Oklahoma Accreditation Standard 210:15-13-9**

CORPORAL PUNISHMENT

It is the policy of the Boone-Apache Board of Education to administer corporal punishment only as a last resort after other reasonable corrective measures have been used without success. However, under no circumstances shall any child in DHS custody or any student on an individualized educational program (IEP) be administered corporal punishment.

At the beginning of the school year, parents and legal guardians will be provided the opportunity to allow the administration of corporal punishment to their child(ren). Failure to provide written authorization will not impact the student(s) and will result in alternative punishments being administered. Under no circumstances will the administration administer corporal punishment to a student where written consent was not provided.

Corporal punishment must be administered only in the presence of another professional, certificated staff member, preferably an administrator. Careful documentation of each occasion shall be made by the teacher or the administrator or both. Such documentation will identify the student and set forth the behavior necessitating the punishment, the person who administered the punishment, and the name of witnesses.

Under no circumstances shall other students or non-certificated personnel observe the administration of corporal punishment. The student shall be carefully advised of the nature of the rule infraction for which the punishment is being administered.

If a parent or legal guardian has requested that corporal punishment not be administered to the student, alternative discipline will be considered and may include suspension from school.

If an incident occurs and corporal punishment is imposed on a student with disabilities, the incident should be reported immediately to a school site administrator and documented using the statewide online IEP reporting system. A copy of the document shall be placed in the student's file and provided to the student's parent or guardian. For each incident, the student's parent or guardian shall be notified as soon as possible, and must be notified no later than the school day following the incident or within twenty-four (24) hours of the incident, whichever is first. An IEP meeting may be needed to review or implement a Behavior Intervention Plan (BIP) for the student.

REFERENCE: **10 O.S. §7115**
70 O.S. §6-113.1
70 O.S. §6-114
70 O.S. §13-116
Accreditation Standard 210:15-=13-9

CORPORAL PUNISHMENT CONSENT FORM

1. I authorize and give my consent for Boone-Apache Public Schools officials to administer corporal punishment (paddle) to _____ (*name of student*) as outlined in board policy. This consent is valid for the _____ school year.

2. I do not consent to the administration of corporal punishment to _____ _____ (*name of student*). This consent is valid for the _____ school year.

_____
Parent or Guardian

Date: _____

CORPORAL PUNISHMENT REPORT FORM

Student's Name _____

School _____ Grade _____

Date _____

Reason for Disciplinary Action: _____

_____

_____

_____

_____

_____

Action Taken: _____

_____

_____

_____

_____

_____

_____
Signature of Administrator

_____
Signature of Witness

SUSPENSION OF STUDENTS

It is the policy of the Board of Education that the superintendent or designee may suspend a student for:

- Violations of policy or regulations
- Possession of an intoxicating beverage (See policy FNCE)
- Possession of missing or stolen property if the property is reasonably suspected to have been taken from a student, a school employee, or the school during school activities
- Possession of a dangerous weapon or a controlled dangerous substance while on or within two thousand (2,000) feet of public school property, or at a school event (Uniform Controlled Dangerous Substances Act) (See policies FNCE and FNCGA)
- Possession of a firearm shall result in out-of-school suspension of not less than one year (See policy FNCGA) This may be modified by the administration on a case-by-case basis.
- Any act which disrupts the academic atmosphere of the school, endangers or threatens fellow students, teachers, or officials or damages property
- Students in grades six through twelve found to have assaulted, attempted to cause physical bodily injury, or acted in a manner that could reasonably cause bodily injury to a school employee or person volunteering for a school shall be suspended for the remainder of the current semester and the next consecutive semester. The term of the suspension may be modified by the school district superintendent on a case-by-case basis.

Before a student is suspended out-of-school, the principal shall consider and apply, if appropriate, alternative in-school placement options that are not to be considered suspension, such as placement in an alternative school setting, reassignment to another classroom, or in-school detention. A student suspended out-of-school shall be placed in a supervised, structured environment in either a home-based schoolwork assignment setting or another appropriate setting in accordance with a plan prescribed by the school administration that provides education in accordance with the supporting regulations. Parents or guardians will be provided with a copy of the education plan and will bear the responsibility of monitoring the student's educational progress until the student is readmitted to school. Students suspended from school shall be ineligible to participate in extracurricular activities. Additionally, any student serving suspension during the time of graduation activities shall not be allowed to participate in or attend ceremonies or programs honoring graduates.

No school board member, administrator, or teacher may be held civilly liable for any action taken in good faith, which is authorized by law under the provisions of this policy.

The superintendent is directed to establish regulations, subject to board approval, which support this policy. Such regulations shall include provisions for appeal of suspension to a suspension appeals committee and/or the board of education. The superintendent may delegate authority for suspensions of students to building principals.

REFERENCE: 10 O.S. §7005-1.2
10 O.S. §7303-5.3
10 O.S. §7307-1.2
37 O.S. §163.2
70 O.S. §24-101.3, §24-102, §24-103, et seq.

THIS POLICY REQUIRED BY LAW.

SUSPENSION OF STUDENTS (REGULATION)

In accordance with the policy of the board of education, the following regulation shall govern the suspension of students from school.

The authority to suspend a student from a school in the school district is delegated to the respective building principals.

1. Any student may be suspended for:

   - Violations of policy or regulations
   - Possession of an intoxicating beverage, low-point beer (37 O.S. §163.2) (See policy FNCE)
   - Possession of missing or stolen property if the property is reasonably suspected to have been taken from a student, a school employee, or the school during school activities
   - Possession of a dangerous weapon or a controlled dangerous substance while or within two thousand (2,000) feet of public school property, or at a school event (Uniform Controlled Dangerous Substances Act) (See policies FNCE and FNCGA)
   - Possession of a firearm may result in out-of-school suspension of not less than one year (See policy FNCGA)
   - Any act which disrupts the academic atmosphere of the school, endangers or threatens fellow students, teachers, or officials, or damages property
   - Students in grades six through twelve found to have assaulted, attempted to cause physical bodily injury, or acted in a manner that could reasonably cause bodily injury to a school employee or person volunteering for a school shall be suspended for the remainder of the current semester and the next consecutive semester. The term of the suspension may be modified by the school district superintendent on a case-by-case basis.

2. A full suspension shall not extend beyond the present semester and the succeeding semester except for violations of the Gun-Free Schools Act which provides suspensions for up to one calendar year or longer. (See policy FNCGA.)

3. Except under circumstances that require the immediate removal of a student or students, the parent(s) or legal guardian(s) shall be informed before a student is released from school.

4. Any student who has been adjudicated as a delinquent and has been removed from a public or private school in this state or any other state for such act, will not be enrolled in a regular class room setting in the district but may be provided an alternative education solution until such time as that student no longer poses a threat to self, other students, or faculty.

5. Students suspended out-of-school who are on an individualized education plan pursuant to IDEA, P.L. No. 101-476, shall be provided the education and related services in accordance with the student's IEP.

6. A student who has been suspended for a violent offense that is directed towards a classroom teacher shall not be allowed to return to that teacher's classroom without the approval of that teacher.

SUSPENSION OF STUDENTS, REGULATION (Cont.)

Procedural Steps to Suspension

Before a student is suspended from school, the principal of that school shall consider and apply, if appropriate, alternative in-school placement options that are not to be considered suspensions. Such placements can include an alternative school setting, reassignment to another classroom, or in-school detention. If such alternate placement is rejected, written justification must be placed in the student's permanent record.

1. Probation. A student may be placed on probation with or without additional disciplinary action. If probation is elected by the principal as a suitable alternative to suspension, both the student and the parent(s) shall be notified of the probation and the reasons therefor.

2. In-school placement. In-school placement is an alternative to out-of-school suspension. In-school placement will be imposed by the student's principal, and the student will be placed in a supervised, structured environment. This placement will not be considered suspension and may include an alternative school setting, reassignment to another classroom, or in-school detention.

3. Out-of-school suspension.

   A. Both the student and the parent(s) shall be notified of the suspension, the grounds therefor, and the right to appeal the suspension to the board of education. A student suspended out-of-school will be placed in a supervised, structured environment in either a home-based school work assignment setting or another appropriate setting.

   B. If a student is suspended out-of-school for five (5) days or less, the district may provide an education plan. If a student is suspended for more than five (5) days and is found guilty of acts as described above, the school administration shall provide the student with an education plan designed for the eventual reintegration of the student into school which provides for the core units in which the student is enrolled. The minimum core units shall consist of English, mathematics, science, social studies, and art. The plan shall set out the procedure for education and shall address academic credit for work satisfactorily completed. A copy of the plan shall be provided to the student's parents or guardian, and the parents or guardian shall be responsible for the provision of a supervised, structured environment in which the parent or guardian shall place the student and bear responsibility for monitoring the student's educational progress until the student is readmitted to school.

Appellate Procedures

A suspension appeals committee is hereby established which will consist of 2 administrators and 1 teacher or a combination thereof. The members of the committee shall be appointed by the superintendent and may include the superintendent. However, any member of the committee who initiated a suspension in a case shall be excused from the committee during any appeal of that particular case.

1. Any student who has been suspended for ten (10) days or less under the steps listed above, or the student's parent(s), may appeal the suspension to the suspension appeals committee. The following procedures shall govern the appellate process:

SUSPENSION OF STUDENTS, REGULATION (Cont.)

A. The student, or the student's parent(s), shall notify the superintendent within ten (10) days following the suspension or the notice of the intent to suspend of their intent to appeal the suspension.

B. Upon receiving notice of a student's intent to appeal, the superintendent shall advise the suspension appeals committee. The suspension appeals committee shall hear the appeal within ten (10) days from the date the notice of intent is filed with the superintendent. The superintendent, at his/her discretion, may permit the suspended student to attend classes pending the outcome of the appeal.

C. During the hearing of the appeal before the suspension appeals committee, the student or the student's parent(s) shall have the right to provide evidence as to why the suspension, or the duration thereof, is inappropriate. The student shall not have the right to be represented by legal counsel, unless the school district is represented by legal counsel.

D. The suspension appeals committee shall determine the guilt or innocence of the student, and the reasonableness of the term of the suspension. The suspension appeals committee may uphold, overrule, or modify the suspension. The student and the student's parent(s) shall be notified within five (5) days of the decision.

E. Decisions of the suspension appeals committee may not be appealed to the board of education. The decision of the suspension appeals committee shall be final.

2. Any student who has been suspended for greater than ten (10) days under the steps listed above, or the student's parent(s), may request a review of the suspension with the administration. If the administration does not withdraw the suspension, the student shall have the right to appeal the decision to the board of education. The following procedures shall govern the appellate process:

A. The student, or the student's parent(s), shall notify the superintendent within ten (10) days following the suspension or the notice of the intent to suspend of their intent to appeal the suspension.

B. Upon receiving notice of a student's intent to appeal, the superintendent shall advise the board of education. The board of education may conduct the hearing or may appoint a hearing officer to conduct the hearing. The board of education or hearing officer shall hear the appeal within ten (10) days from the date the notice of intent is filed with the superintendent. The superintendent, at his/her discretion, may permit the suspended student to attend classes pending the outcome of the appeal.

C. During the hearing of the appeal before the board of education or hearing officer, the student or the student's parent(s) shall have the right to provide evidence as to why the suspension, or the duration thereof, is inappropriate. The student shall not have the right to be represented by legal counsel, unless the school district is represented by legal counsel.

D. The board of education or hearing officer shall determine the guilt or innocence of the student, and the reasonableness of the term of the suspension. The board of education or hearing officer may uphold, overrule, or modify the suspension. The student and the student's parent(s) shall be notified within five (5) days of the decision. The decision of the board of education or hearing officer shall be final.

SUSPENSION OF STUDENTS, REGULATION (Cont.)

NOTE: **70 O.S. §24-101.3 (E) states that a student who has been suspended from a public or private school in the state of Oklahoma or another state for a violent act or an act showing deliberate or reckless disregard for the health or safety of faculty or other students shall not be entitled to enroll in a public school of this state, and no public school shall be required to enroll such student, until the terms of the suspension have been met or the time of suspension has expired.**

THIS POLICY REQUIRED BY LAW.

STUDENTS:
FEES, FINES, AND CHARGES

It is the goal of the Boone-Apache Board of Education to provide a free, appropriate, public education to all the children of this district. However, there are certain areas in which the payment of fees, fines, or charges may be required. The superintendent is directed to establish a regulation designating such areas and setting forth methods of payment.